IMT Nuremberg Archives

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International Court of Justice

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PL affidavits

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AFFIDAVITS PRESENTED BEFORE THE COMMISSION

POLITICAL LEADERS

1. Paul Seboldt
2. Hans Gerber
3. Heinrich Neuer
4. Karl Schoenberger
5. Adam Foertsch
6. Karl Hederich
7. Karl Hederich
8. Adam Foertsch
9. Alfons Schaller
10. Walter Heyse
11. Dr. Paul Steinhauser
12. Ernst Volkmann
13. Karl Hederich
14. Eduard Kuehl
15. Josef Reinhardt
16. Joseph Reinhart
17. Dr. Richard Mueller
18. Dr. Richard Mueller
19. Karl Richard Adam
20. Bolko Count von Roedern
21. Heinrich Walkenhorst
22. Reinhard Schoen
23. D. Cajus Fabricius
24. Paul Wegener
25. Ernst Bayerlein

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Regensburg. May 18th.1946.

A F F I D A V I T.

Re: Personal particulars.

My name is Paul SEBOLDT, I am 60 years of age, a Protestant by denomination, married, President of the County Court (Landgerichtsdirektor) in Regensburg, residing Luitpoldstrasse 15a; I am not related to, in person or by marriage, nor otherwise connected with any of the defendants at the Nuremberg Trial; since May 1st.1937 I was a member of the NSDAP, since May 1st.1942 I was a Blck Leader thereof, as a war-time deputy.

Re: the matter in hand:

From October 1st.1932 to October 1st.1938, I was County Court Judge, Landgerichtsrat, in Nuremberg. On May 1st.1937, I joined the NSDAP. On October 1st.1938, I was transferred as Presiding Judge of the County Court ~~xx~~ (Landgerichtsdirektor) to Regensburg, my native town. On May 1st. 1942 I was appointed Block Warden of the NSDAP in this town, because younger party members were called to arms. One could not refuse while being in the Party such an office. I accepted it as did many Germans, with the best and purest intents, to do my duty and to serve my country thereby; indeed, it was always emphasized that State and Party were one and the same thing. According to colloquial usage the Bloack Wardens too considered as a part of the Political Leaders although they had, as far as politics are concerned, nothing to "lead", nor in fact anything to decide at all. According to the interpretation of the Prosecution at the International Military Tribunal the Political Leaders as such are to be declared as "criminal organisation" and accordingly to be branded as political criminals, who have participated in a conspiracy. This interpretation is not correct; I must contradict it, because it does me wrong.

First of all, I will state what I know personally of the Party Organisation, in the lower grades.

The local group (Ortsgruppe) whereof I was a member in Regensburg comprised three cells with, together, about 30 blocks. My block comprised 5 - 6 houses - one of which was destroyed during the war - with about 25 households. I did not have any "block assistants" (Blockhelfer). Since 1938, the local group (Ortsgruppe) had successively three Ortsgruppenleiters the first was chief clerk of a big Catholic Publisher's (Friedrich Pustet), the second a certified engineer and manager of the local branch of the firm Siemens-Schuckert, the third an elderly Protestant teacher. The last mentioned was only deputy local group leader; at that time, an official of the district leadership (Kreisleitung) did full time duty as local group leader, but he did not trouble much about the local group. The three local group leaders were honorable, upright men of partiotic convictions and by ~~XXX~~ no means fanatic. They would have had scruples to wrong to wrong anybody. Neither did they harm anybody in the course of their official duties. On the contrary they considered as their duty to help their fellow Germans whether or not they were members of the NSDAP in these difficult war times as much as they could. I cannot say truthfully anything else of the cell leaders and block wardens.. Nearly everybody happened to be a party member and accordingly many hundred thousands of the best and most respectable men. Cell leaders and block wardens were by profession, clerks, lower and middle rank officials, teachers, small business men and also socially more prominent people, in fact a part of the German people. Not a single one of them could have been called but an honest man of respectable convictions. Not one of them would have appropriated to his own usage even a pfennigs worth of

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public funds; at least, it could not be expected of any one of them. As far as I am able to judge, these officials did belong, in the past, to the most diverse political tendencies. If one can read today in the newspapers that the small block warden has squeezed and spied upon people, and sent them to concentration camps, then, according to my opinion, this is a malevolent assertion or implies an utter lack of knowledge of actual conditions. They must have been very rare exceptions. The last of our local group leaders, the teacher, told me only in the summer of the past year, a short time before his arrest, that he was glad not to have denounced anybody; he had been often told about inconsiderate utterances, grumbling and the like; but he had not denounced anybody, as he had not desired to bring unhappiness to any fellow-countryman. Such convictions were universal in our midst. Politically unreliable scoundrels (Gesinnungslumpen) and informers would not have been able to keep themselves in our midst.

In the main, the construction of the organization is probably known. As far as I am able to judge it, the district leaders (Kreisleiter) were in fact, the real political leaders of their districts. They had large powers, or at least assumed them, and as has become known, often got because of this, into conflict with the political officials of the State administration, especially with the district councillors (Landraete), when the latter did not want to submit to a parallel government of the party. How extended were the powers of the district leadership, appeared especially during the crisis, a short time before the breakdown. In these periods, the district leaders were often, as far as I know, the center of hopeless resistance. In the last year of the war, the tasks of civilian air defense and the organisation of the "Volkssturm" - a purely military task - had been transferred to the district leaders; as far as I know, the "Volkssturm" was subordinated to the Armed Forces only when alarmed. As far as I know, the district leaders were all on full-time duty and had a staff of co-workers.

The - as far as I know, everywhere honorary - local group leaders got their orders from the district leadership and had to carry them out throughout their local groups. I had the impression that they often had, in this connection, a difficult position which called for much skill and tact.

Subordinated to the local group leaders were the cell leaders and under these were the block wardens. Cell leaders and block wardens had but subordinate tasks; they had not to make any decisions. Neither had they any contact with the district leadership. In some months, my entire activity as block warden consisted in collecting and delivering the party contributions fixed by the district leadership. There were never any difficulties in this connection. In my block, the contribution amounted, according to income, from 1.80 Reichsmark to 6.30 Reichsmark per month; only one person was taxed in the highest class, viz. 8.30 Mark. Moreover, the block wardens had to keep a card index concerning all the households; the same card index was kept by the cell leader (or, instead by the local group). For the rest, it was part of the tasks of the block warden to invite from time to time the party members or the other fellow Germans too, to attend political meetings - as far as I know, attendance was not checked - and moreover to distribute propaganda leaflets including some belonging to the sphere of economy ("Save gas"), among the households and to deal with inquiries and questions of varied nature, most of them connected with the war; such as reports of casualties, the ordering of gas masks and their distribution free of charge to needy persons, other air defense matters, delivery of free admission tickets for theatres and concerts, collaboration on the occasion of fuel distribution and the like.

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There was much complicated and perhaps superfluous office work. The political leaders were often active on the occasion of collections. At the repeated collections of clothes and textiles, people gave mostly willingly and abundantly, as much as they could, because they knew that everything was urgently needed for the soldiers and for the needy; the gifts piled up to mountains. At times, we were used for decidedly charitable or adminstrative tasks. For instance, this happened on the occasion of the accomodation of the evacuated Hamburgers, for which our region (Gau) was the evacuation region, (summer 1942) and of the accomodation and care of the people which had become homeless through the air attacks on our city (winter 1944/45). These duties were not entrusted to the state or city authorities, but to the party offices. Great and immediate distress had to be removed. This meant work upon work for the party officials and brought about many difficulties, the more so, as the party offices did not have any authoritative or police powers; everything should be carried out on a voluntary basis. The local group leaders established first-aid posts and did everything possible with their subordinates and with voluntary workers.

Accordingly, most of the matters which had to be attended to by block and cell wardens, had nothing whatever to do with politics. Just once in the three years of my activity I had to give a political opinion, about a fellow party member. According to truth I gave as my opinion that the individual concerned were a honorable man and did meet his liabilities in respect of payments etc., but that he did not belong, in his mind, to the Party; but that I requested, with a view to the consequences, not to take any steps against him. And it remained at that.

As a rule, nothing was asked of cell leaders and block wardens except that they participated, once a month, in a political meeting, either in a public meeting or in a local group meeting in the evening or, maybe, in a conference of the political leaders within the frame of the local group. During the last year of the war, there were hardly any more conferences of this kind. During these conferences, the local group leader discussed our tasks with us; there was manifold office work to be done. Of course, we also discussed the war situation, as our mind was naturally full of thoughts about the war, but certainly not in the sense of a "conspiracy". In the indictment before the International Military Tribunal proceedings have been taken up concerning crimes against Peace (among others, disruption of trade Unions, planning, preparation and launching of wars of aggression, secret rearmament, attacks on Czecho-Slovakia, Poland and other states), further crimes against rules of war (among others, murder and ill-treatment of the civilian population of the occupied territories, deportations, murder and ill-treatment of P.o.W., lynching of parachute flyers, murder of hostages, plunder of public and private property in the occupied territories), and, lastly, crimes against Humanity (among others, persecution of the Jews, ill-treatment, imprisonment and killing of them, confiscation of their property, fight against the Churches, persecution of priests, persecution of political enemies, their treatment in the concentration camps, starting of proceedings against or denouncing of political enemies, taking into protective custody).

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The political leaders of lower rank, at any rate as well as the block and cell leaders, had nothing whatever to do with these things. They did not have any influence on the course of political events and on the waging of war. They did not know anything more that others did, concerning the events at the fronts, in the occupied territories and in the P.o.W. and internment camps. Their principal source of information were press and radio. They had to accept, just as all other people, whatever happened in the war, even when they had serious objections and foresaw a bad outcome of the war. They did not get any information about the overwhelming majority of war crimes; what facts they learned were mostly reported by German sources.

What I am stating here are but my personal experiences in a small sphere. But they seem to me to be typical for conditions in general. What the political leaders of local groups were doing neither was criminal nor served, in my opinion, a criminal intent.

I saw but a few days ago, in May 1946, for the first time, the organization book of the NSDAP (5th edition, 1938, Eher publishing house). In this party book the duty of a block warden is described as very important and full of responsibility. He is expected to supervise constantly the fellow-Germans of his area and to impress them by propaganda. I can only say, in this connection, that those are, in the main, but great and empty words; the truth was quite different. We block wardens did not dream at all of making ourselves laughing stocks or despicable by an obtrusive and short-sighted propaganda, which after all is useless. We did not feel either as agitators or as informers with respect to our fellow-countrymen. In our midst, block wardens and cell leaders were, all of them, intelligent and sedate people. As far as I can judge nobody was a 100% national socialist in the sense of the party doctrine. For me, at least, national socialism never was at any time an ideology or a substitute for religion, but only a political doctrine.

In my opinion, people took over party duties because they were assigned to this activity and because they considered it their duty to carry out this assignment. They would have considered it unjustified to refuse the small services asked of them by the party. They knew of course that they were supporting an authoritarian government. But they considered an authoritarian government as necessary in times of distress and war. They also thought, maybe, that, when intelligent people did not cooperate, that fanatics and evil elements would then have a clear road. An authoritarian government can be either good or bad and everybody of course desires a good government. That the Hitler government would degenerate into a mere terror rule and that its leading personalities would, for the larger part, commit crimes upon crimes, as has unfortunately been the case, that could be known to members of the party just as little as to the entire remainder of the German nation. Even the foreign countries have not foreseen this, otherwise they would not have permitted Hitler assume power, nor recognized and, in part, even supported his rule until war broke out. How can we be blamed if we too had, in trusted Hitler from the beginning? How, finally, can the Germans be considered as "guilty", because they took sick, during the war, with their government? In the main, we had to rely on the German publications concerning causes and beginning of the war.

The German people and also the party members and officials did know but very little of the crimes, which were carefully kept secret for years, and which are now steadily being revealed to the public in great trials; only sparse informations trickle through, little by little, in form of rumours. Hardly anyone of the people knew something for certain. Nobody could have a general prospect of the whole.

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when, in the spring of 194[illegible], the Jews were transported from Germany to the East, many people in our city still believed that they were to be resettled there or that they would come into labor camps. Theresienstadt, for instance, was considered here as a ghetto; it was said that a Jewish lawyer from Regensburg (Dr. Michel) had been appointed there as mayor. Afterwards, nothing whatever was heard of those Jews. One did not know what had happened to them. Natural sentiment revolted against the idea that they had been killed in the East. Only one of the local Jews, a lawyer called Dr. Bloch, was heard of as "being dead", without further information; nobody appeared to know any details. Very much later, soldiers on leave told that the Jews in the Polish territories were being murdered; personally, I have been told this twice. But people who heard such reports did not dare to pass them on. True, we were aghast at the thought that it had come so far, that innocents were being killed wholesale. But nobody could stop this evolution. The war asked for sacrifices upon sacrifices, nearly in every family, it was being waged with harshness and cruelty and weighed so heavily upon us, that we accepted such things too. To-day, we may reproach ourselves, in our conscience, that we did not do anything at that time. But what could we have done? One could not withdraw from the party just as from a club. One could join, but not leave anymore. And neither could one resign from a party appointment without serious reasons. If a man had given as reason for his resignation from the party that he detested the murders of the Jews, then this would have been considered as an insult of the party, and the party court would have excluded the person concerned from the party. Nobody could leave this boat anymore. The "exclusion" from the party was a punishment - in opposition to a "dismissal" - and did have grave consequences for one's existence. The individual who, even in a small circle would have candidly discussed the murders of Jews, could expect to be suspected and being treated, sooner or later, as an enemy of the state. He could have been thrown into prison or into a concentration camp, as he would not have had any possibility at all to furnish any proof. Accordingly, it would have been pure insanity to do anything against these things.

Truly, one got informed with pretty considerable certainty that incurable inmates of asylums were being brought to death - this was called "annihilation of life unworthy to live" -, as these happenings could not be kept secret in the long run. A great motion picture " I accuse" even made propaganda for "euthanasia". Many people lost relatives by the extermination of sick persons; but they could not do anything against it. I may be allowed to refer to the excellent essay of the nerve specialist Dr. Gundert "Wissen und Gewissen" "Knowledge and conscience" in Nr. 28 of the "Neue Zeitung" of April 8th 1946.

On the contrary, an impenetrable veil was thrown over everything, connected with the concentration camps. Of course, everybody knew that such camps existed. I knew myself the names of only 2 or 3 camps. One knew that political prisoners and criminals were interned in the camps and could suppose that the treatment was harsh. But one got hardly any information at all concerning the horrible happenings in concentration camps. One did hear nothing of mass killings, of gassings, of tortures, of sadistic "scientific" experiments, of ill-treatment; particularly, one did not know that even P.o.W. and foreign nationals were deliberately killed. Party members knew, on the whole, as little of these things as the remainder of the German people. The few who may have known something about it did not talk about it. The released concentration camp prisoners, of whom there were many, did not talk either. The facts concerning these abominable and happenings shameful for us which occurred in the concentration camps were revealed to us but after the collapse in the main through the great trials and other publications.

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On that occasion, I have heard for the first time names as Belsen, Buchenwald, Mauthausen, Auschwitz, Maidanek, Ravensbrueck and others. Until then, I did not know that there were any "extermination camps". People did first not believe many of the details, as nobody would have thought such things possible to happen among the German people. In the meantime, much came to light which, unfortunately, cannot be questioned. It is, therefore, a fact, that the bulk of the German population, including the party members and the overwhelming majority of the so-called political leaders, did know but very little and, at that, practically nothing for certain, of the real happenings in concentration camps, until the collapse. The same happened to me. Personally, I have listened to enemy radio broadcasts only in the beginning of the war, afterwards not any more, as I did not want, in my position as a judge, to have anything to do with these broadcasts. Out of aversion towards the political propaganda, I have not listened any more to the German political broadcasts, with the exception of official speeches and the radio commentaries of the defendant Fritzsche.

May I be allowed to add a little incident. A court official, former party member, and an active member of the German Labor Front (DAF), told me, a short while ago, and very creditably, about what follows :

"I never knew before the name Mauthausen. One day, I received an official death certificate from Mauthausen. "Mauthausen", I thought, " I do not know this locality. It probably does not lie in Bavaria." After a while, I got again a death certificate from Mauthausen. I wondered about the coincidence, that was all. There came a third death certificate, but that one mentioned the place of decease: concentration camp Mauthausen. Now, of course, I knew at once what was the matter with this Mauthausen and why people died there. But, at the same time, it was a matter of course that I did not tell anybody about this observation. Otherwise, I would very probably have landed in a concentration camp myself. I could not prove anything, in fact. And, indeed, I could not have changed anything."

In such a way, by accident or error, in one single case a small part of the horrible truth was revealed to an outsider, who, on his part, could, for sound reasons, not do anything but keep silent.

We had perceived for a while already that Hitler was not only a fanatic, but a psychopathic. As the war was on, after all, we could but hope that he would be restrained by the course of events and the influence of others in his sphere. The contrary happened : Hitler dragged everything into destruction. We perceived too late that Hitler was utterly devoid of ethics, that he made use of any means, even of the most objectionable ones, in order to reach his aims. We perceived too late that he made use himself of the methods of mass terror, which always had been described to us as the methods of Bolshevism, and made use of them in the most brutal manner. Only when the war was over did we recognize that the entire German nation - with few exceptions - and accordingly, we too, had been, for years, belied, deceived, exploited and misused by means of a cunningly devised system, built to a large extent on lies and violence.

The amazing daily results of the Nuernberg trial speak very clearly for themselves to everybody. The small political leaders have been misused just as the remainder of the German people. We have given dictatorial powers to a government which proved a bad one, and was not worthy of trust. We could not get rid of it any more and were disgracefully deceived. This is hard enough for us. But it is not

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a crime which would entitle others to slander us.

However, this is but my personal opinion. I am not entitled to speak for others. But I think that very many of the men who are to be brought to account to-day as political leaders, had the same opinion of things as I had.

Affidavit.

I certify in place of oath the truth of the above statement, so far as it contains statements on facts. I am cognizant that my statement can be submitted to court as evidence. I know the significance of an affidavit. I know also, that the person who gives a false affidavit is liable to punishment. Further, I certify in place of oath, that the present document will not have as consequence any transfer of rights, claims, furtune or property belonging to a person whose property is blocked by the Military Government, nor a payment by any such person, nor a decrease or injury of the value of such property.

Regensburg, May 20th 1946

(signed) Paul Seboldt

Document register No. 959

I certify above signature of Herr Paul S e b o l d t , Landgerichts-direktor in Regensburg, Luitpoldstrasse 15 a.

Regensburg, May 20th 1946.

(signed) Dr. Luther, notary public.

Notary fees No. 959
Value: 3000 RM.
par. 39 fee regulation 4.-RM
turnover tax -.12RM

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PL #6

Hans Gerber, being sworn, depose and say:

Affidavit of the
former Blockleiter (block warden) of the NSDAP

Hans Gerber, Stuttgart-Sillenbuch (American zone) Eduard Steinle Strasse 57.

I am aware of the significance of a sworn statement, also that the making of a false sworn statement will be punished.

Personal Data:

Age 43 years.

1933 as a civil servant joined the Party in the belief for a social reconstruction after a time of progressive deterioration.

1935 - 1936, worked as Block-leader in 2 Stuttgart local branches.

The testimony refers to this time and place.

How to become a Block-leader?

The rule was not the submitting of a voluntary application but the accepting of the office upon request by the local branch for cooperation to which all party members were obligated.

Who became a Block-leader?

The younger active party comrades were in their majority not considered for work in local branch work because they belonged to an organisation (SA, SS, etc.) which practically left only older, less active members for that purpose. Among them mainly clerical employees and civil servants were used because the only possible excuse - lack of time or illness - could not as easily be used by them as by the party members engaged in free enterprise. They were also requested by the personnel departments to cooperate and they were watched hereby through inquiries, so that the job as Block warden was in fact for them nothing but a frequently very burdensome, and besides unpaid part of their daily official work.

The described personnel composition of the Block-leaders shows already that they were not such fanatical Nazis as the prosecution apparently assumes.

Was the Block-leader a functionary (Hoheitstraeger)?

He was, in fact, not a functionary but a letter carrier of the Party.

In my opinion the real reason why the local branch leader is to be considered the lowest functionary is the following: The "Alten Kaempfer"

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(old guard) who were the only ones considered reliable by the political leaders, sufficed in numbers apparently only for the local branch leaders, while the army of block and "Zellen" wardens had to be taken and replaced continiously from inexperienced new party comrades mostly, and were viewed with suspicion if not contempt. No political or military secrets could be entrusted to this steadily changing circles of co-workers who were difficult to keep an eye on; he was suitable solely for the execution of administrative tasks and accordingly only used for that.

Which were the duties of the Block-leader?

Collection of contributions and gifts, peddling of pamphlets and tickets at statistical survey of his district, therefore administrative tasks which had to be handled in such a way that the relationship with the population became one of confidence. He had, however, no disciplinary or police authority, such as the supervision and direction of the "Blockobmann" (block-foreman) "Block warte" (Blockwarden) or "Blockwalters", nor of the "Blockfrauenschaftsleiterin" (Women's Block Leader) which organisations apparently were subordinated directly to the local group leader. The Block-leader had practically no special political powers, as for instance the independent requesting or use of other organisation; a possible theoretical right to this was not known, neither the organisation book by Dr. Ley of which I personally have never heard.

Did the Block-leader have a staff?

Solely by persuasion could he win party comrades for work as so-called "Blockhelfer" (blockhelpers); they were used for collections and peddling of pamphlets, had no influence whatsoever and do in no way deserve the name "staff". They furthermore did mostly not know each other which surely is the most primitive prerequisite for a "staff".

Was the Block-leader a superior to the Political Leaders in the staff of the local branch?

In reality the opposite was the case; The appointment of a Block-leader to a staff office was considered a promotion and a special sign of confidence of the "Ortsgruppenleiter". The prosecutor excludes the Ortsgruppenstabsleiter from the indictment, but they were almost all Block-

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leaders before, so that their first stage should be left out of the indictment already for that reason.

Was the Block-leader an informer?

The local branch leaders always pointed out, that the establishing of a relationship of trust with the population was the most important task of the Block-leader - this, however, would have been destroyed in a very short time through informing. The Block-leader was also very unfit for being an informer, because he was known in his small district and his name publicly marked on the block board. He had no other rights than the simple party comrade and fellow countryman but only more duties. He himself was used mostly by the local branch leader, than came the party comrade while the fellow countryman was mostly left alone. During my time of office I never heard of a case of tyranny of a Block-leader against a fellow countryman nor of an instigation hereto.

How was the attitude of the Block-leader toward the church and the race problems?

Even though sometimes, from about the year 1937 on it was suggested to to leave the church this was by no means forced upon him and only a few did it. (At my onw church wedding at the end of 1936 the political leaders of the local branch participated nearly completely).

The personnel composition of the Block-leader, described at the beginning (mostly elderly employees and civil servants) was a cause that anti-semitism found no fertile soil here. The increasing radicalisation was neither intended nor foreseen by the majority of Block-leaders, nor made known to them in its effects, but resulted in painful inner conflicts for many of them because according to general opinion a protest through resignation from the party or from the block wardens office would have had immeasurable consequences for the individual: It only would have added to the victims.

Was the Block-leader a conspirator?

He was just as little informed about the true intentions of the politic and military leadership as any party comrade and fellow countryman, however, by no means than his own local branch training leader, who was

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not accused of participation in a conspiracy. If the acceptance of the party program through joining the party is considered as a criterion for the participation in a conspiracy, the Block-leader is just as responsible as any party comrade, by no means however, more, because every party comrade was on principle obligated to do the work which he did.

In my opinion the indictment causes special hardship in not differentiating with regard to time. A radicalization of the party occurred apparently only during the war, especially towards its end. Those should be excluded from a collective declaration who were only active in the pre-war period (for instance those who resigned their office at the outbreak of the war because of the draft) and therefore could not have taken part in that radicalization. I declare that as a Block-leader from 1935 to 1938 I did not learn of anything which was not accessible to anybody else- that there can be no question of leadership, organization, incitation or conspiracy in the planning or execution of a common plan or conspiracy against the peace, military law and humanity. I also never received an individual order which had as object an offence against humanity or honour nor did I hear of such an order to a Block-leader.

In this connection I mention that already in the year 1567 a "declaratory judgement" was rendered, that is by the Duke Alba, as it is described by the German National poet Friedrich von Schiller, according to this "all without exception should be subject to punishment, ... and this punishment should .....be carried out on the guilty ones." Schiller condemns this legal opinion (Friedrich von Schiller, History of the secession of the Netherlands, Vol. 4, capture heading: "Albas first decrees" par. 1 and 2).

Hans Gerber

Subscribed and sworn to before me this to-day at Nuernberg of 28 June 1946.

I, A.E. Schroder, Jr., Lt. Comdr. USNR being thoroughly conversant with the English and German languages, certify that I have acted as interpreter for the swearing of the above affidavit.

28 June 1946.

Mannheim, 8 May 1946

I, the undersigned Heinrich Neuer of Mannheim, Maxjosefstr 32, city magistrate, 59 years old, dismissed upon the demand of the American Military Government, make the following

statement in place of oath.

I was effectively taken into the Party 1 May 1937 after having been appointed by the then Block-leader after the "Assumption of Power", without first asking me, as so-called house-warden for the house I owned, Maxjosefstr. 32, and after having been asked in 1936, 37 or 38 twice, first by the Zellenleiter and then by the Blockleiter- I presume upon instigation of the Ortsgruppe - whether I wanted to become a member. I would not have done it upon my own volition. By the second discussion I had told the Block-leader that I would not accept any special function in the party . I was from the very beginning inwardly opposed to the party, i.e. I resented it because the coarse and German type of agitation in the Press and at marching demonstrations etc. as well as the "Heil Hitler" salute were repugnant to me. I mention this to show that I joined the party not from "Hitlerism" but only reluctantly.

In Ma 1939 I moved to Qu 7/16, a business-district. Soon after the outbreak of war, probably in October 1939, one Sunday evening when I returned from an out of town visit, I found a notice in size about 12x8 cm from the up to then Block-leader saying that I was to take over Block Qu 7 No.12a - 19, signed by Weidner, Zellenleiter (acting Zellenleiter?); there was no date on this piece of paper also no stamp or any other mark which would show that it was an official notice from the Party In a subsequent discussion in which I tried to get rid of the matter, I was told that no one else was available, and that the duties consisted merely in collecting once a month for the Winter-relief-work..

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As far as I remember that was the whole activity in the beginning, that I, a couple of times also my wife in our own house, on the day set for the collection or the previous day went with the collection-list from family to family to receive the amount signed for,- also in the other two or three houses where there was no house-warden I did the same, for t' rest I took the collection-list to the house-wardens of the other five or six houses and if the house-wardens had not returned them with the money, I called for the lists and the money, and passed the lists with the result of the collectio on to the Zellenleiter. Later on, collections for the Red Cros were added. Towards the end collections were made every two weeks, at times special collections even beyond these were made. Now and then orders were issued by the Ortsgruppen, and were published also in the newspapers and over the radio, to encourage the people to make larger donations. For a while I passed these orders on partly over the house-wardens, but I never insisted upon anybody to give more, although I did espress to one party who lived in my house and had very good income, that he could easily give more, but I never did it in such a way that it could be felt as exertion of pressure. In one other case I talked to a business employee who had at last subscribed 20 Pfennige only, to urge him to donate a little more by telling him we would pass up alms, but without consequences to this person. On the other side I put on the brakes with people of whom I felt their donations were too high in comparison with their estimated income. Towards the end I no longer passed on these demands from above, to give still more, and I myself did not comply with them either, since this whole business of collecting, at least as far as money was involved was loathsome to me. Often at home and in an intimate circle I talked of the beggar-state. As is known with the continuance of the war collections of clothing, textiles, paper and old metals, shoes and perhaps still other items were repeatedly organized. During the winter of 1941 skis and ski-boots were urgently demanded for the troops in Russia. All this was passed on by the Zellenleiter, who received his orders.

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from the local unit-leader, to the Block-leaders and from them to th housewardens or sometimes directly by posting a notice on the so-called housebulletin-board. The items asked for in these collection were usually delivered by the donors themselves at the local unit or at places designated, rarely by way of the Blockleiter. Donations for gift-packages for the armed forces for X-mas were also collected. Then concerts were given for the benefit of the Winter-relief-work, and tickets for these had to be peddled from house to house. To the few subscribers for the correspondence-course and "Wille und Weg" ("The Will and the Way") these papers had to be delivered and payment collected. Whereas collection of party membership fees did not come under our duties in this Ortsgruppe.

After air-raids reports were to be made to the Ortsgruppe of what had happened in the block, first how many incendiary bombs had fallen, and what damage had been done to windows and otherwise. Sometimes information was demanded as to what quarters could be made available for housing purposes or what was standing empty. Sometimes addresses had to be ascertained. Once we had to take part in the allocation of coal, likewise in securing the population for labor service. Now and then lists of the population according to age, sex and occupation etc. were demanded, apparently purely administrative duties. Towards the end the Block-leaders were required to get training in first aid and emergency work, for which purposes they had to attend evening-courses. On the other hand no courses or lectures or instructions were ever conducted with regard to the general duties of a Block-leader as "political leader".

Never was I approached with a request to spy on people in general or on one person in particular, neither have I heard of such requests to others. Perhaps during the summer of 1943 the Zellenleiter attended a special evening-course; during that time the Block-leaders had to take turns in representing him at the Zellen-meetings which were held twice a week at the Ortsgruppe. These were strictly business-like meetings, to a certain extent issuing of orders, mostly to be passed on to the Block-leaders. If nothing special was on, one could leave again at once.

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Sometimes difficulties between dwellers of the same house were discussed in order to establish the legal aspects for the purpose of clearing up the matter, perhaps something of removal interest. After the Zellenleiter had moved away during the last year, nobody could be found to voluntarily be his successor, thus the Block-leaders or also somebody else had to take turns in deputizing for him as far as possible. I did this only partially, i.e. I avoided to give political opinions; I also never conducted so-called Zellen-evenings. For the rest, as far as I could see, the Zellenleiter was nothing more than the medium for passing orders from the Ortsgruppe on to the Block-leaders. Towards the end there were hardly any Blockleiters, one had at times to take on several other Blocks. Sometimes women were also used in this capacity. At the very last one would have been ready to assign the block-leaders duties even to non-party-members if such could have been found.

In our Ortsgruppenleiter one held evidently to the opinion that only the Ortsgruppenleiter (leader of the local unit) was a "Hoheitstraeger" (bearer of sovereignty); I too knew of nothing else. I never acquired a uniform. I never possessed an identification such as from the Kreisleitung. For a while I believe I had an identification card from Ortsgruppe, but I can't tell any more of what was on it; I remember only that I had to turn it in again very soon because another stamp or signature from the Kreisleitung was to be affixed yet; but the card was never returned to me, so that most of the time I possessed nothing except the piece of paper, without date, originally given to me by the Zellenleiter, as mentioned in the beginning. It was furthermore stated, that these posts were only to be occupied by others temporarily while the original occupants were absent because of the war, and they were to be reserved for them.

One may mention yet that the so-called political leaders were called upon for various other tasks. If the street-curbs had to cleared of snow or ice, the political leaders were to lead out and urge their neighbors to follow. If there was a fire somewhere, there was a special task unit made up of political leaders and other party-members organized for fire-fighting and salvaging of household goods. During the last year somebody had to be on telephone -

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night duty at the Ortsgruppe; we were also preferably called upon for security-patrols during the night. The lower "Political Leader" was the "Jack of all trades" in the service of his people; the latter at least according to my bona fide opinion.

While I was Block-leader I never heard officially from the party anything about preparations for war or aims of war, and just as little about war-crimes or crimes against humanity. I declare in place of oath that this my statement is correct and am aware of the consequences of a false statement in place of oath.

Heinrich Nauer

Certificate of Signature

The above signature recognized by me as that of Mr. Heinrich Nauer, city magistrate, residing at Mannheim, Max Josefstr. 32 is herewith publicly acknowledged as true.

Mannheim, 9 May 1946

Notary office Mannheim II

Signed: Illegible

Counsellor of Justice

Karl Schoenberger being sworn, depose and say:

A F F I D A V I T

After it was made known to me, that the following affidavit is designated as evidence before the I.M.T. in Nuernberg and it was pointed out to me that a false statement in this affidavit for which I can be held responsible is punishabel, I, Karl Schoenberger, being duly sworn depose and say:

concerning personal data.

My name is Karl Schoenberger, born in Diez/Lahn on 12 June 1894 residing at Reininghause near Gummersbach (District Cologne); I belonged to the NSDAP from 1 January 1932 on and was member of the DAF, NSV and the NSBDT (National Socialist Association of German Engineers), last being district head (Kreisamtsleiter) of the technical office (Rural District Cologne).

concerning facts.

Following statement concern ascertaining of facts for the time from October 1932 up to April 1945, in which I was active as political leades as follows:

District Cologne.

From October 1932 to October 1933: Zellenleiter
from " 1933 to July 1934: Ortsgruppenleiter, (local unit leader)
from July 1934 to Arpil 1945 : Kreisamtsleiter Amt fuer Tech (district head for technical office)

District Euskirchen

1942 - 1944 : acting Blockleiter
Administration of DAF for district Cologne-Aachen,
1935 - 1945 Engineer and expert advisor for the department: vocational education and business management.

Position and tasks of the Block and Zellenleiter

The Blockleiter (belonging to the staff of the Ortsgruppe) was initially created in 1934. In matters of discipline he was subordinated to the Ortsgruppenleiter, and in essential matters to his superious Zellenleiter. The designation "Hoheitstraeger" was not known to me. The Block comprised 14 to 21 party members, the "Zelle" (unit) about 3 to 5 blocks. The task of the Blockleiter consisted in the tending to the needs of party members and in a further sense also in tending to the needs of fellow nationals (Volksgenossen). He was to be trustee and advisor. Furthermore, he forwarded circulars, invitations, party literatur and during the war , he was charged with the delivery of food ration cards.

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He was charged with collecting the party contributions, which he then submitted to the Zellenleiter.

The Zellenleiter, in the condensation of blocks to a unit, had a task more of a businesslike than a personal nature. For the collection of contributions he kept an index card of members (Mitglieder Kartei). Political activity of its own did not exist in the block or Zelle. Only during the last years of the war so-called Zellen-evenings were organized for party members, where actual daily problems e.g. air-raid protection, question of food and care were discussed.

The Blockleiter kept no index of persons. The Zellenleiter kept an index merely for the purpose of collecting contributions. The Ortsgruppe was in possession of an index for all inhabitants. Reports of conduct were not required from the Block- and Zellenleiters. The preparing of so-called -"politische Fuehrungszeugnisse" (reports of conduct) and other political judgments was strictly forbidden to them.

Like every good citizen(also in foreign countries), the Block and Zellenleiter was morally obligated to report acts which were directed against the security of the State. During my political activity it has not become known to me that instructions were given to Block- and Zellenleiters for spying on people (Bespitzelung).

I take cognizance only now of circular No. 0139presented to me of the Gauorganisationsamt (district organizational office) of district Cologne-Aachen of 31.January 1941. I remember however, that the aforementioned circular or one similar in contend was discussed during an official discussion of my district leadership about March-April 1941. It was customary there, that circulars of general importance be discussed with the Ortsgruppenleiters

The Kreisleiter (district leader) stated about the following concerning the circular:

The ever increasing air attacks necessitated the carrying out of measures of precaution. These served above all the tending to people, especially the aid to the suffering. A technical expedient for this and especially for the tracing of the missing is a correctly conducted index of households, constantly kept up to date. Such an index was already necessary because indexes of communities and police districts were often destroyed or moved away and could not be reached quickly in cases of necessity. On the other hand it was established that inhabitants moved to less endangered areas without informing the authorities, thereby lessening the possiblity of an energetic committment.

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The district leader further stated, that the reason, that political designations were entered on the index - was due to the fact that in the necessary deployment of citizens such as e.g. leaders for extinguishing fires, officials charged with the care of persons, salvaging commandos (also in state plants), politically reliable citizens (staatsbejahende Buerger) were selected for employment, since at this period not only party members but also ordinary citizens were used in the severely affected districts.

The district leader continued to say, he wanted no secrecy in finding out facts. It was customary for the Blockleiter to approach the person to be judged politically personally and to discuss necessary information with him. Consequently there was absolutely no secrecy (Geheimniskraemerei) or activity of spying. In spite of the provisions of the circular, according to which the Blockleiter was forbidden to gather information for the household index personally, this nevertheless happened and was approved of by the district leader.

As far as is known to me, mass arrests, such as have taken place at the time of unrest (Verhaftungswelle) after 20 July 1944, have not taken place on the strength of particulars furnished by the household index.

Information for the index of the population did not serve the purpose of persecution of people but concerned all inhabitants and also the political leaders themselves. I myself, after I had moved to Euskirchen in the district of Cologne in August 1941 promptly received a questionnaire from the Blockleiter, which was to be filled in for the respective household index. I was at that time political leader for 9 years already and was treated like any other ordinary citizen. When in 1942 to 1944 I temporarily took over a block in Euskirchen, I did not receive a single demand for information for the household index. As far as I remember, an organizing of household indexes with different methods was undertaken in other districts. I also heard that the index in individual districts was conducted without political designations or sometimes was not conducted at all. A unified order, valid throughout the Reich, seems not to have been in force.

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Finally I ascertain the fact, that the household index was of immeasurable value to the relief organizations of the party as well ... as to the authorities during the terrible air attacks, from which the district suffered almo continuously from 1940 on.

signed: Karl Schoenberger.

Subscribed and sworn to before me this today at Nuremberg of 8 July 1944

signed: Paul S Burger
Capt No O-451219

I, (Illegible) being thoroughly conversant with the English and German languages, certify that I have acted as interpreter for the swearing of the above affidavit.

8 July 1946

PS-713

Adam Feertsch being sworn, depose and say:

Affidavit

After I was notified, that the following affidavit is to be presented to the International Military Tribunal in Nuernberg and after it was pointed out to me, that the deliberate and false making of an affidavit is subject to punishment, I hereby state the following in place of oat

As to my person:

My name is Adam F e e r t s c h , born 14/5/1904 at Freising, married no children, resading in Assenhausen on the Lake Starnberg, learned vocation, bookkeeper, member of the NSDAP from the end of 1922-23, 1925-1927 and from the end of 1929-1945, last position in the party: District organization-leader (Gauorganisationsleiter) in the district Munich-Upper-Bavaria from April 1942-45, last rank held: Hi her supervisor (Oberbereichsleiter)

Subject: Concerns organization-book of the N

Block- and cell-leaders "Spying"

To call the block- and cell-leaders "functionaries" (Hoheitstrae er), could only be dreamt of by a person, who was extremely far removed from the practice and who wanted to realize thou his,which did not rest on the basis of possibility. Head-office leader (Hauptamtsleiter) Mohn the responsible author of the organization book unfortunately was a man who organized just for the pleasure of or anizin , who wanted to bring and uniform everything in to a high standard (Hoch-Form).

In this book he outlined the sphere of the tasks according to his own train of thought, i.e. stepping far ahead of reality and fact or better said, chasing wish dreams.

Especially exaggerated were his views and plans about the block and cell leaders, whereby it was however clear to him, that the condition as it should be (Sollstand), hoped and strived for by him, was far away from the actual condition as it was (Iststand). In the organization-book he wrote down his thoughts, i.e. his personal wishes. One cannot take them as a justification for points of an indictment, one must rather let us be, practice speak.

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The block and cell-leader was mainly cashiers of fees and collectors of the Winter-Help-Collection (WHW) and the Red Cross. He also was not the "Fuehrer" of his block or of his cell, but a party-member and a fellow German without special rights, but with higher duties. The change was considerable. Women and non-party members also were often ordered to take over a cell or block. The block and cell leaders were organs and helpers of the local group-leader.

Mostly they had no idea of the sphere of tasks outlined by Mehnert; the majority had not read the organization-book. His written accounts, with regard to the block and cell-leaders, are likewise unknown to me. But when I hear, that it is regarded as an instruction for spying, I must state, that the block and cell-leader especially needed the confidence of the people. This he could only gain by a proper attitude and work, but never by spying. The district leaders Wagner and Giesler continuously pointed out, that a liaison of confidence must exist between the fellow country-men and the political leaders. For reasons of principle they attacked any form of spying, just as much as they were against agitators or as they said "village tyrants".

When the household card-index is brought up as a proof for spying, then I make the objection, that it was not set up at all in many sovereign territories (Hoheitsgebieten) and was kept in various forms in others. I also want to say, that it was seldom up to date, as it lacked the necessary apparatus for keeping and adding to the card-index.

When I took over the office of organization in the district Munich-Upper-Bavaria, I could not find a regular keeping of such a card-index any place. It was also not known to me, that political gradings were to be entered in it. Also this could not be the concern of the organization-leader, the way it is expressed in the circular of the district Koeln-Aachen, presented to me here, as he had nothing to do with political gradings neither in the district or circuit, nor in the local group. The grading was in the hands of the functionaries (from district leader up), their preparation in the personnel-office.

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When the air-attacks became more and more intense and the searching of missing, buried and dead people became more difficult, I pointed out, that establishing of a household card-index or list could be an important help in the search. From my activity as an organization-man of the party and with regard to this I know only of card-indexes or lists, which served the purpose mentioned. They had absolutely nothing to do with spying; on the contrary they served every one of the people. For the same purpose, air-raid wardens were at that time advised, to draw up lists of persons who are present in the air-raid shelters during each air-raid alarm, and to exchange them with the neighbouring air-raid wardens.

The block and cell-leaders had no authority, neither as administrator and wardens of the affiliated groups, nor toward the SA,SS, NSKK, HJ etc. They had - as the other political leaders - no executive rights or police powers.

Whenever block and cell-meetings were called, then it was done by or on the orders of the local group.

/s/ Adam Foertsch

Subscribed and sworn to before me this to-day at Nuernberg of 10 July 1946.

/s/ Paul S. Burger, Capt. 0-451219

I, Emma D. Schwabenland being thoroughly conversant with the English and German languages, certify that I have acted as interpreter for the swearing of the above affidavit.

July 46

/s/ Emma D. Schwabenland

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P.L. 24

Doc. B.

Nuernberg, Germany 9-7-1946

A f f i d a v i t

of

K a r l H e d e r i c h

I, Karl Hederich, born on 29th October 1902 in Wunsiedel, Oberfranken, residing in Rheydt, Rhineland, Kloostergasse 12, by profession a licensed engineer, and at present in the Court House prison in Nuernberg, being duly sworn in, depose and say:

I am referring in the following statement to the numerical proportions of the so-called organization of Political Leaders and to its composition in particular. Apart from other offices in the Reich direction of the NSDAP, from 1934 to 1945 I was deputy chairman of the Official Revision Commission of the party for all national socialist literature. In this capacity I was in charge of the whole sphere of the party and was responsible for the revision of all accepted official party publications. The Main Organizational Office of the NSDAP was a sphere of my office and I had therefore a corresponding insight into all organizational matters. To this should be added in particular the publication and preparation of statistical material. I can therefore speak with authority as regardsthe question of the composition and size of the so-called Organization of Political Leaders, but I must remark that as a result of my internment I have no documents on hand to give a picture which would be exact as regards figures.

With reference to the following points: In the question raised, the prosecution bases itself exclusively, to my knowledge, on a conception derived from the "Hoheitstraeger" No. 8/1/39. According to this there were at that time in Germany:

H5123-0029

41	Gauleiters
808	Kreisleiters
28.376	Ortsgruppenleiters
89,378	Zellenleiters
463.048	Blockleiters
581.651	

With the inclusion of the so-called Staff officers of the Kreis- and Gauleiters the prosecution amounts to roughly 600,000 Political Leaders, numbering the so-called Staff officers at 18.349. These figures are far too low.

The calculations I give below are based on the conditions in two Gaus which together represent a fair average.

There are difficulties to be faced in the question as to how large should be the circle of political leaders comprised in the accusation, because there were many political leaders in other national-socialist organizations who are not being prosecuted. I am not considering those in my calculations. I only start from the point that apart from the top level in the Reich the Hoheitstraeger from the Blockleiter up to the Gauleiter and the staffs of the Kreis- and Gauleiter are subject to prosecution. In regard to the latter it is again doubtful, how wide the circle of so-called staff officers should be drawn. If only office holders are meant, then one can count on the average some 25 "staff officers". But if their co-workers, like Hauptstellenleiter and Stellenleiter are also included in the accusation, the number of so-called staff officers should be multiplied namely to about twenty times the number of office holders.

The question, must also be left open as to how many of the quoted party leade were actual political leaders in the sense of the official party regulations regarding appointment to office.

On this basis the following is of value in separate cases:

1) As in the declaration in the "Hoheitstraeger" the foreign organization is disregarded, the number of Gauleiters rises at once to 42,

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corresponding to the other Hoheitstraeger and to the so-called staff officers of the Kreis- and Gauleiter;

2) According to the prosecution the listed number of persons is to be apprehended without regard to the period at which they were active in the course of the years 1920 - 1945, and therefore also those, who during these many years were active only for a short time or were discharged.

The change of personnel which was only natural in the course of 25 years was particularly strong in the so-called organization of Political Leaders, because

a) in the course of time many of them went over to a state, municipal or private service or took over tasks in the branches of the party, its connected associations or organizations under its care.

b) furthermore the war caused an unusually great departure of political leaders for Wehrmacht service of all kinds including the Organization Todt and similar setups, and then other fellow party men had to step into the offices of those who had gone. This happened particularly often in the low ranks of the Hoheitstraeger, Blockleiters and Zellenleiters. These form numerically the greatest part of the circle of people under question.

One must therefore start from the point that on the grounds mentioned in a) and b) the average number of Hoheitstraeger and "staff officers" should be doubled even when estimated with caution, though on the other hand it should be remembered that frequently during the war two or more offices or positions were administered by one person.

H5123 - 0031

3.) In view of all these considerations the following numerical picture can be drawn:

a) Leadership of the Reich

Approximately	5.000
Leaderships of the Gaus	28.200
Kreisleaderships	241.850
Ortsgruppenleiter	65.000
Block- and Zellenleiter	1.200.000
	1.540.050

This is the number of the political leaders comprised in the accusation with the inclusion of those who worked together with the office holders in the Kreis- and Gauleaderships (Hauptstellen- and Stellenleiter). The number would be reduced by some 200.000 - 300.000 men, if in the staffs of the Kreis- and Gauleiters only the holders of a Kreis or Gau office were reckoned/which is not to deduced from the accusation.

b) The number of party comrades active in the so-called Fuehrer corps of the NSDAP. is, as already mentioned, much higher.

The staffs of the Ortsgruppenleiter alone would include some coworkers.	960,000
If we add to this the political leaders who were active in the "German Labor Front" and other affiliated associations, and who actually had service rank in the NSDAP, this would make some	300.000
And if we also consider the Block- and Zellenwalter (custodians) and the industrial foremen of the German Labor Front etc., who actually were put on a par with the Block- and Zellenleiter the number would be increased by some additional	1.000.000
	2.260.000

H5123-0032

With this the number of political leaders would amount to some 3.800,000. The number of political leaders comprised in the accusati is according to my reckoning about 1.300.000 or 1.550.000 depending on whether one should add to the "staff officers" of the Kreis- and Gauleiters those who worked with the office holders or whether only the latter should be counted. I will point out also in this connect that these numbers are too low rather than too high, because for th duration 1920 - 1945 I have only assumed a double office holding In my opinion the basic number should be tripled. That I am only doubling it is justified on the other hand by my consideration that the Organization was greatly enlarged after 1933, having been much smaller in the preceding years.

The above described facts correspond to the truth. I am making this declaration voluntarily and without any compulsion. I have read and signed it.

Karl Hederich

Signature of affiant.

Subcribed and sworn to before me this eleventh day of July, 1946, a Nuernberg, Germany

Donald E.Fawcett, 2nd Lt.Inf.

O-/338699

I, Emma W. Schwalbenland, being thoroughly conversant with the German and English languages, certify that I have acted as interpre for the swearing of this affidavit.

(signed)Emma W. Schwalbenland

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P.L. 27

A f f i d a v i t

H o d e r i c h , Karl, being duly sworn, deposes and says.

A f f i d a v i t

I, the undersigned, Karl H o d e r i c h , born on 29 October 1902 at Wunsiedel/Oberfranken, certify in lieu of oath that the following statement is correct. I know that it will be produced before the International Military Tribunal and that incorrect declarations lead to prosecution.

From 1934 to 1945 I was acting chairman of the official examination commission of the party for National-Socialist literature. The chairman of this commission was Reichsleiter Bouhler. Amongst others, the Reich agencies Goebbels, Rust, Rosenberg and Amann were represented as members of the commission. The Reich Organization leader had a deputy in the person of Oberbefehlsleiter S e l z n e r .

The duty of the commission was to eliminate, in the field of National-Socialist publications any literature which stood in contradiction to the National-Socialist world of thought.

Up to 1935, the organizational regulations concerning the structure of the party were published in the National-Socialist yearbook. By reason of the withdrawal of the SA from the political leadership a new organization had already become necessary in 1932. Up to that time there had been, as a rule, no difference between SA leaders and political officials. In the years 1933/34 many non-party-members

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had joined the SA. In the end, the SA consisted even of 80% non-party-members with something like 4 million members. The Roehm putsch in June 1934 showed especially clearly the need to separate the different fields of activity.

Therefore, during the years 1935 to 1936 a new plan of organisation was drafted. The party directorate was regrouped in offices. First of all the DAF (German Labor Front) was to be taken over as formation of the party. The drafting of this organisation plan was in the hands of the expert in charge, M e h n e r t Mehnert worked at the main organisation office (Hauptorganisationsamt) of the NSDAP. The individual suggestions of the different formations arrived at this office, and were then coordinated in a general plan by Mehnert.
Before the publication of the book, Reichsleiter Bouhler made a report to the Fuehrer on the subject. Presumably the Reichsorganisationsleiter did the same. I myself was only informed of the Fuehrer's opinions through Bouhler whom I had to represent. Bouhler told me at that time that the Fuehrer did not want to make an official and final decision with respect to the organisational structure. On the other hand, he did not fail to recognize that the Reichsorganisationsleiter needed a provisional working basis. Moreover, Bouhler told me that the Fuehrer held the view that during his lifetime the organisational structure of the party should be quite different from after his death when it would be necessary to make it much more democratic. During the lively dispute concerning "Othmar Spanns" corporative state and the total

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state, which the Fuehrer declined, he refused to make any final decision either. I know exactly that Bouhler told me that to Adolf Hitler a single-party-democracy seemed the solution.

With a view to the intended provisional solution of organizational questions the creation of the contemplated "Senate" was put aside.

After the publication of the book, I myself heard from the Fuehrer that he absolutely disagreed with different official designations of the organization book, namely also with certain parts of the uniforms which were introduced.

Some objections had already arison to the new extension of the notion of "Hoheitstraeger". I myself pointed out to Mehnert that according to the instruction of the Fuehrer and/or of his deputy, "Blockleiters" and "Zellenleiters" could not be considered as Hoheitstraeger. To this objection Mehnert answered that it was only a matter of organizational form. As a matter of fact, nothing should and would change the position of the Blockleiters and Zellenleiters by including them in the notion of "Hoheitstraeger". The reason he gave for making the notion of "Hoheitstraeger" so comprehensive was that otherwise he would have to introduce a third separate category for the Blockleiters and Zellenleiters besides that of the actual Hoheitstraegers and those who worked with them. Despite the extension planned it was quite clear that the Blockleiters and Zellenleiters should not be entrusted with an over-all responsibility and that in practice the position they had held hitherto should not change. Therefore, as far as I know, Blockleiters and Zellenleiters

were as a matter of fact never . allowed to exercise the rights of an actual Hoheitstraeger. The competent Ortsgruppenleiters were the last Hoheitstraeger entrusted with over-all responsibility, who had the right to call meetings and who held disciplinary authority.

sgd. Karl Hederich

Subscribed and sworn to before me this 13 day of June 1946.

sgd. John W. Lawrence

1st Lt. Inf. Adjutant

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P.L. 28

Affidavit

Adam Foertsch, born May 14, 1904 in Freising, being duly sworn depose and says:

From April 1942 until the end of the war I was Gau director of Gau Munich, Upper Bavaria, last rank: Oberbereichsleiter.

. "Corps of Political Leaders" that is, a formation or corps-like concentration of political leaders, never existed.

1.) The political leaders were simply party members who were given the rank of political leaders, but who had no special organizational connection with each other because of this.

2.) The individual political leaders, because of their different personal backgrounds (degree of education, profession, age, opinions, etc.) and because of their different functions,(sphere of work, importance of their sphere of work,authority, responsibility, etc.) and the variety of the numerous organizations in which they carried out their functions, were such a motley assembly of people that practically they could not have formed a corps either, in the sense of a clearly defined group of people with a uniform attitude and function(as for example the officers' corps, the monastic orders, and so forth).

3.) The fact that the political leaders were never united in a "corps" is also evident from the fact that:

a.) the Fuehrer's deputy prohibited the designation "PO" (Political Organization) originated by Gregor Strasser;

b.) the official term applied to the individual holding a "Political Leader's rank" was "Political Leader of the NSDAP" and not "member of the "Political Leader Corps".

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B. Service position and Political Leader rank.

A definite distinction should be made between service position and service rank.

1.) A man was only a political leader when he was given the service rank of a political leader.

2.) The service agencies that appointed a person to a service position, that is, to an office, were not identical with the service agencies that conferred the service rank. For example, one was appointed to the office of a Gau organization director by the Gau-Leiter, while the political leader service ranksas Gau organization director, was granted by the Fuehrer.

3.) A party member could be appointed to an office without ever being given the service rank of a political leader. Especially during the wartime there were innumerable officials who never held service rank as political leaders and who therefore never became political leaders; for example, in the Gau Munich, Upper Bavaria, of the NSDAP approximately only about 20% of all the active party members in the party held political leader ranks, so that the other 80% were not political leaders, notwithstanding the fact that they had the same functions as those party members who were granted the political leader rank.

4.) The sphere of activity, the power to issue orders, the responsibility etc. of an official did not depend on whether he was a political leader and what rank he held as such, what mattered was the service position and not the political leader rank. For instance, party members who had been appointed to the service position of an Ortsgruppenleiter, without getting the corresponding political leader rank, held the same powers and functions as the Ortsgruppenleiter who had been appointed a political leader.

5.) It was quite possible for an official to hold a lower political leader rank than an official who was subordinated to him as regards service position.

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6.) The fact that someone held the rank of political leader does not in itself prove that he really exercised political functions:

a.) Office employees, card and registry clerks could obtain service rank as political leaders

b.) numerous officials who held the rank of political leader had nothing but plain technical or administrative work to do in their service positions.

7.) All party members, because of the fact that they belonged to the NSDAP, were obliged to have some activity within the party; all party members therefore were in a position to obtain an office within the party or in one of its formations or the affiliated groups.

The decision whether the holder of such an office should get the rank of political leader, lay entirely with the Hoheitstraeger, without the office holder himself having the slightest influence in the matter.

Signature: Illegible.

Subscribed and sworn to before me this 10th of July 1946 at Nuern

Signature: Paul S. Burger

Name, Grade, ASN.

A f f i d a v i t

Alfons S c h a l l e r , born on the 18th July 1909 in Cologne being duly sworn deposes and says:

From 1933 until the end of the war I was district leader of the district Hansestadt Cologne, in the Gau Cologne-Aachen.
The socalled family card-index mentioned in the circular of the 31st January 1941 is very well known to me from my own experiences. During inspections I repeatedly looked into the card files of my Ortsgruppen (local chapters). Therefore I can say exactly how these cards were actually kept. The aim of the files was the collection and recording of statistical particulars, which were needed time and again to answer questions concerning grants for children, reductions for children, marriage loans, and similar matters. In order to prevent repeated inquiries, information of such a kind was to be recorded in writing. During the above-mentioned inspections I could see that the card-index was completely sufficient for these problems to which came later the additional function of acting as a basic source of information for the handing out of food rationing cards. During my revisions in the interests of a clear arrangement I made a special point of seeing that no superfluous information was written down. When I found anything of the sort, I asked the person keeping the card-index to remove it, that is, to discontinue it in the future.
If I now find out today from the copy of the circular of the Gau-organization office Cologne-Aachen of the 31st January 1941, that the Gau-organization leader Wilhelm Lindau is supposed to have given directions over and beyond this, to extend the family card-index to a kind of political index, then I can confirm in all conscience, that this was never done in my district. If I saw the above-mentioned circular during my duty as district leader, then I certainly gave my Ortsgruppen leaders (leaders of local chapters) directions to keep to the sense of the above-mentioned purpose of the card-index. I do not believe that after my definite instruction as to the meaning and purpose of the family card-index any Ortsgruppenleader in my district ever changed the practical application of the index as I have described it above upon receipt of a communication that he received directly from the Gau-organization office.
If in the letter from the Gau-organization office Cologne-Aachen lists are mentioned which block and cell leaders were supposed to keep, then I can say from the knowledge I derived by visiting the Ortsgruppen, that such lists were not kept. The handling of the index also was in opposition to the directives of the circular, since questionnaires were presented to the families at regular intervals to be filled out by them. Political judgment in the Gau area Cologne-Aachen was a matter for the district leader alone. He used for this purpose his district personnel chief. The latter received the particulars he needed from the Ortsgruppenleader, who if necessary used his personnel office chief. The organization leader of the Ortsgruppe had nothing at all to do with political judgment. I can also state with the greatest certainty, that the block and cell leaders did not participate in "getting material" for political judgments in the sense and in the form requested by the circular of the Gau-organization leader of the 31st January 1941.

s/ Alfons Schaller

Subscribed and sworn to before me this 2nd July 1946 at Hemer;

s/ illegible
Major
The Royal Scots
CIC

I, FRAIS, H. being thoroughly conversant with the English and German languages certify that I have acted as interpreter for the swearing of the above affidavit.

s/ H. FRAIS Sgt.
CIC

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P.L.32

H5123-0041

Nuernberg, Germany, 23.7.1946

A f f i d a v i t

of

Mr. Walter H e y s e, Gauamtsleiter in the Gau Hesse-Nassau.

I, Walter H e y s e, born on 17.6.1902 in Paschkerwitz/Silesia, living in Usingen in the Taunus, regional district Wiesbaden, Greater Hesse, by occupation graduated political economist, executive and administrative county official (Landrat), at present in jail in Nuernberg, being duly sworn depose and say:

I was active as a co-worker in the Gau Administration Hesse-Nassau of the NSDAP Frankfurt-on-Main since 1925: Employed full time since 1929 as Gau business manager, Gau propaganda director, Gau director of organization, Gau inspector, Adjutant of Gauleiter Sprenger and Gau director of personnel until 1940.

During the war I was -when I was not on the front- deputy Kreisleiter executive and administrative county official (Landrat). As senior Gau office director of the Gau Hesse-Nassau of the NSDAP, I knew Gauleiter Sprenger personally since the year 1925. As full time collaborator in almost all offices of the Gau leadership during many years, I know exactly the working methods, the official language of the party, that is the way of expression of Gauleiter Sprenger himself, and the form in which he put his directives, circulars etc.

For this reason it is possible for me to make a binding statement concerning the photostatic copies of the alleged circular of the Gau leadership Hesse-Nassau of the 15 March 1945 and the undated document, File Number I/B 37869/B which were presented to me.

1.) Concerning the form of the named documents:

Due to the abundance of stylistic and grammatical errors of the documents, it is virtually impossible to give a complete description thereof. I

H5123 - 0042

only point out that is was never customary to address the Ortsgruppen and Kreisleiters as "Mister" in official party letters, and just as uncommon was the abreviation of the word "fellow citizen" (Volksgenosse) which is used repeatedly in the document and there are many other things. I am convinced that it is impossible that these documents were composed by a person who mastered the German language. I come to this conclusion especially as I know, due to my daily official association with Gauleiter Sprenger for many years, that he scrupulously adhered to the correct formulation, especially the acurat compliance with the grammatical and stylistic rules of the German language, having been a civil service employee and former officer, as well as a generally well educated man. He did not even admit punctuation errors before he signed anything, and we, his associates, often smiled about this "weakness" of our Gauleiter. It was typical of him to check every document with a pencil line by line before signing it. He demanded the same acuracy not only of his co-worke but also of the stenographers, who were carefully selected and none of them co have remained longer than a day if she had presented a document with such errors even once. Also the fact that the documents in question are said to hav originated not long before the capitulation of Frankfurt can never be the explan for such a great number of errors of all sorts. I know of many co-workers from the Gau Hesse-Nassau, whom I met during the course of my internment which lasted more than a year that Sprenger remained correct to the end, just as I had known him for many years.

2.) Concerning the contents:

The contents of the documents must appear as a complete impossibility to every political leader and especially to the co-workers in the Gau itself. In the internment camps I have met over 100 political leaders

H5123 - 0043

and formation leaders of all levels from the Gau Hessen-Nassau, ans was in d daily contact with do„ens of such officials. I have never even heard anything during conversations which referred to the documents. I don't know anything o the mentioned X-ray examination of the people, of directives according to which fellow citizens were to be accused constantly, but party members were be "worked free" under any circumstance even if they were accused. Rather, th opposite happened all the time, that is that guilty party members were punish especially severely, and no party memberswas exempted from state justice. I know nothing of the Armed Forces Exchange action which is mentioned under the title "The Party as a Model of Work", which by the way is directly the opposi of the title. On the contrary, Sprenger as an old soldier wanted that especia the leading party members be sent to the front, and actually the number of fal Kreisleiters and Gauamtsleiters in the Gau Hesse-Nassau was higher than in al other Gaus. I have never heard anything about the fact that the "Partyleader-ship" received even one ounce more food on their food ration cards than the population. Such a measure, which allegedly extended as far as the Ortsgruppe fuehrers, could not possibly have been kept secret. Neither to me nor to any of the dozens of officials "entitled to special allotments" with whom I'm in contact now due to my interment, is anything known of such an allotment. The same is true of all instructions, intentions and directives in both document Their contents is so absurd that they are surely considered an impossibility by every political leader, especially by those who acted under Sprenger. Due to my exact knowledge of things as a long-time associate of Gauleiter Sprenger, it is impossible for the documents in question to have originated from Sprenger.

The above mentioned facts are correct. I have made this statement voluntarily and without any pressure. I have read it and signed it.

S/ Walter Heyse
.....
Signature of Affiant

Subscribed and sworn to before me this 24 day of July 1946 at Nuernberg, Germany.

s/ L. H. Binder
.....
Capt. Inf. 0-358239
Name, Grade, ASN

I, Irene Vrbova being thoroughly conversant with both the English and German languages certify that I have acted as interpreter for the swearing of this affidavit.

s/ Irene Vrbova

H5123 - 0044

Nuernberg, July 26, 1946

A f f i d a v i t

by

Dr. Paul S t e i n h a u s e r , former Gau office chief and Head of the Central regional office in the Reichleadership of the DAF (German Labor Front).

I, Dr. Paul Steinhauser, born May 26, 1902 in Painten, Oberpfalz, residing in Seeg near Fuessen, Allgaeu, former town-councillor, jurist by profession, at present in the Courthouse prison at Nuernberg, being duly sworn depose and say::

The defense counselfor the "Political Leader" organization showed me a document-file that contained, amongst other things, a photostatic copy of a document D 728, dated March 15, 1945, with one enclosure. This was an order by the Gauleiter Sprenger concerning action taken by the party to keep their fellow countrymen in check until the end of the war; it also contained 41 statements by former political leaders of the Gau Hesse-Nassau in the form of original affidavits. The affidavits are by 3 District leaders, 16 Ortsgruppen leaders, 2 District office leaders and 20 NSDAP official leaders.

After looking over the contents of the above-mentioned document D-728, and thoroughly examining the statements in the affidavits, I truthfully declare the following with regard to their contents:

1.) The afore-mentioned officials of the Gau Hesse-Nassau agreed in their statements that they first obtained knowledge of the alleged orders of Gauleiter Sprenger in April 1946, through the defense counsel's visit and from an announcement in the press in March 1946.

2.) Until the capitulation they were completely unaware in their official position that an order had ever been given by Gauleiter Sprenger for the withdrawal of the District leaders into the interior of the Reich, in the event of any advance of the enemy. They did not know either that all documents, especially those concerning the installations and measures of intimidation in concentration camps, and the extermination of certain families, etc. were to be destroyed.

3.) The persons interrogated know nothing of a so-called people's

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H5123-0046

X-ray examination with the object of wiping out sick people, and they knew just as little of a decree regarding the transfer of all power to the Hoheitstraager.

4.) None of the 41 Political Leaders from the Gau Hesse-Nassau, and in particular the District- and Ortsgruppenleaders, who should have been informed of the decree, knew anything of the fact that the food ration for the Political Leaders and their wives had ever been increasedor was to be increased above the quantities allotted to the rest of the civilian population.

As regards the document, I can say the following, based on the experience and knowledge I gained during years work as Political Leader in areas of the District, Gau and Reich:

1.) Judging already by the way it is drawn up, the document cannot be a official party communication. The structure of the sentences and sty show an unusual number of violations against the usual German spoke and the language customary in the party.

2.) The contents of the document are absurd and contradictory in every point to the general practice of the Party and the many orders issue thereto, so that it can only be a forgery easily detected by its for and contents.

The above-mentioned facts are true. This statement was given by me voluntaril and without any compulsion. I have read it through and signed it.

Dr. Paul Steinhauser
signature of affiant

Subscribed and sworn to before me this 26th day of July 1946, at Nurnberg, Germahy.

Illegible.

Name, Grade, ASN.

I, Emma D. illegibel-being thoroughly conversant with both the langu English and German certify that I have acted as interpreter for the swearing of this affidavit.

Emma D. Sch..... Illegible

H5123 - 0047

P.L. 34

Nuernberg, Germany, 14 July 1946

A f f i d a v i t II

by Dr. Ernst Volkmann

I, Ernst Volkmann, LL.D., born on 8 August 1901 at Leipzig, "Oberlandesgerichtsrat" by profession, last position chairman of a chamber of the Highest Party Tribunal of the NSDAP, at present in the Nuernberg Courthouse Jail, being duly sworn, depose and say:

From 15 February 1935 to 30 June 1936, I was chairman of the Gau Tribunal Pommern of the NSDAP. From 1 July 1936 to 31 October 1941 I was a judge and from 1 November 1941 to the end of the war, chairman of a chamber of the Highest Party Tribunal of the NSDAP. Therefore I can take the responsibility to declare the following about the position of the Party Tribunals within the party organization and especially on the question of whether the party judges were political leaders:

The party tribunals were mere courts of honor which were competent for party members exclusively. In particular, they had no function in the field of state jurisdiction. They were set-up in vertical order beside the organization of the party, and were connected only through the person of the Fuehrer who constituted the chief uniting all agencies. Since the activity of the party judges was exclusively judicial, a special position was granted to him, which is described by the following:

1) During the tenure of office as a judge, the party judge was not permitted to hold any party office nor belong to any of its formations.

H5123 - 0048

2) Since the party judges did not have any tasks directly pertaining to politic al leadership, a central office was created at the Highest Party Tribunal in order, on one hand, to keep them out of this field, especially with regard to decisions concerning the appropriateness or the non-appopriateness of a politic- al measure, on the other hand/to create nevertheless a possibility for clarifying political questions necessary for the decisions of the party tribunal.

3) In as far as they were not appointed by the Fuehrer (judges at the highest party tribunal, chairmen, and chairmen of chambers at the "Gau" Tribunals) the party judges were appointed to their offices by the chief of the highest party tribunal, thus not by the Hoheitstraeger as was the case with political leaders

4) Therefore the party judges were not subordinated to the disciplinary authori of the Hoheitstraeger. The latter had no authority of giving orders or directi to the party judges.

5) Party judges were subject to a special penal justice which was exercised by a Disciplinary Senate at the Highest Party Tribunal.

6) Up to the 31 December 1942 the special position of the party judges was also shown by the uniform in that they all wore velvet patches on their uniform

It is only since the 31th of December 1942 that new guiding principles came into force which aimed at a closer connection between the party judges and the actual party organization and which led also to certain changes of procedure. It was decided that in the future only former political leaders should be appointed as party judges who, after a certain period

H5123-0049

of time should return again to the general service in the Party. Furthermore it was decided that party judges should have the official rank and position of the political leaders. But in practic the change of personnel with few exceptions, could not be carried through and also the actual incorporation of the party judges in t official ranks of the political leaders was not yet concluded at t time of the collapse in 1945. Besides, even according to the new directives the party judges were no political leaders but should only have the assimilated rar and position of the latter and not even this was carried through.

Even from the Organization Book of the party, although it always greatly anticipated the actual facts, it is evident that the party judges did not belong to the political leaders of the party organi ation, not only until 31 December 1942 but until the end. Even the 7th edition of the year 1943 includes a passage about "Party judge and Political Leaders", therefore still makes a difference, and in this last organization book of the year 1943 which was published after the issuance of the new directives, the District and Gau Trib unals, contrary to the former editions, are assimilated with respe to their rank but are still separate from the staff of the Distric and Gauleiters.

Accordingly the party judges have at no time been included in the staffs of the Hoheitstraeger and therefore do not belong to the "Organization of Political Leaders" in the sense of the usual National Socialist terminology.

H5123-0050

The above facts are true. I made this statement voluntarily and without any pressure. I have read it and signed it:

Dr. Ernst Volkmann
Signature of Affiant

Subscribed and sworn to before me this 15 day of July 1946 at Nuernberg, Germa

Illegible, 1st Lt. O-130498
Name, Grade ASN

I, ... being thoroughly conversant with both the English and German languages, certify that I have acted as interpretor for the swearing of this affidavit.

Illegible.

Nurnberg, Germany 30 July 1946

53 PL

AFFIDAVIT

Work report by
Herr Karl Hederich

- - - - - -

I, Karl Hederich, born at Wunsiedel/Oberfranken

on 29.10.1902,
Residence Rheydt,
Profession: certificated engineer,

at present in court house Gaol, Nuernberg,

Being duly sworn depose and say:

A working team composed of witnesses for the German defense for the political leaders sifted and dealt with the affidavits collected from 25 camps for interned political leaders. I, the undersigned was the leader of this working team.

115 936 statements from

2 camps in the French zone,

7 camps in the British zone,

16 camps in the American zone,

have been considered; they come from about 38 000 political leaders.

There were no affidavits from the Russian zone nor from the three Austrian zones and the Polish zone.

It is clear from the reports of each camp that the carrying through and the compilation were connected with more or less considerable difficulties.

In several of the above mentioned 25 camps thorough inquiries were made. Two among them - namely Darmstadt and Garmisch - have been dealt with in their own affidavits enclosed. They are typical of the results from the other camps. Therein is also mentioned the extent to which conclusions can be drawn from them as to Reich conditions.

A special statistical record was drawn up with regard to the alleged intentions of the political leaders to exterminate Christianity, intentions of the political leaders to exterminate Christianity, ententions mentioned in the indictment.

Out of 31,964 political leaders held in 17 different camps,

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39,946 were members of the Christian Churches,

163 members of other religious communities, and

11,854 believed in God.

Thus

62.40 per cent of all the Political leaders

are members of the Christian Churches. The same number is also found in the Darmstadt and Garmisch camps and result from the other individual inquiries regarding this question.

It arises from all the statements recorded that the author - whilst exercising his political functions - never saw or heard of a crime against humanity or world-peace, and he never received orders from which he might have drawn such conclusions.

All affidavits emphatically oppose the assertion of having become a member of a criminal organization by joining the NSDAP. All of them were politically active from love of their Fatherland, and in order to strive for a just social order.

147,776 affidavits dealing with questions of the individual crimes alleged by the Prosecution have been treated separately in reports. In this connection, you will find in the enclosure, separate individual affidavits of each compiler.

Finally, I certify that all the affidavits and evidence submitted to me have been dealt with, and that they have all been taken into consideration in my affidavit or in the affidavits of the individual experts in this matter.

Subscribed and sworn to before me
this 30th day of July 1946 at
Nuernberg, Germany
s/Francis Alix
Capt. O-1170619

s/Karl HEDERICH
Signature of Affiant.

I, Kveta LIKOVSKA being thoroughly conversant with both in English and German certify that I have acted as interpreter for this swearing (Affidavit)

s/Kveta LIKOVSKA

H5123-0052

H5123-0053

Subject: Jewish question. Nurnberg, Germany,
30 July 1946. 54 PL

AFFIDAVIT

of

Herr Eduard KUEHL, former Buergermeister
residing in Drochtersen, Kreis STADE/Hanover.

I, Eduard KUEHL, born 9.4.1896 in Ohrsee, Kreis Rendsburg - Holstein - residing in Drochtersen, Kreis Stade, at present in Nuernberg Court Gaol, being duly sworn depose and say:

1. After reading the existing statements in lieu of oaths which were handed over by the former political leaders of the internment camps concerning the above mentioned count of indictment, I establish and certify that

26 674 declarations

have been sumbitted to me for consideration.

In these statements the political leaders have asserted that

A. Within the NSDAP and the circle of the Political Leaders no propaganda was made publicly or secretly for the application of forcible measures against Jews/ /Pogroms/, and they themselves did not take part in violences against Jews, particularly in the night of 9 to 10 November 1938.

B. That they were informed about extermination of Jews in the so-called extermination camps only after the capitulation in May 1945.

2. In the existing statements in lieu of oath

A. 245 Political leaders have certified that they have personally intervened for the protection of the life and property

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of Jews, for their accomodation or support, or have used their influence in other ways in favour of Jews.

B. 531 Political Leaders have asserted that also after 1933 they have maintained personal, business, professional or official relations with Jews without having any difficulties with the Party.

C. 84 Political Leaders have asserted that in exceptional cases of excesses against Jews, Party members and members of formations who had taken part in them were sent for sentence to regular Courts or Party Courts and punished.

I assert expressly, that the above related facts are true, and that all the statements in lieu of oath submitted to me for compilation have been evaluated and taken into considerati

/s/ EDUARD RUEHL
Signature of affiant.

Subscribed and sworn to before me this 30th day of July 1945 at Nuernberg, Germany.

/s/ FRANCIS ALIX, Capt.,
Name - Grade - O-1170619

I, Emma W. SCHWABENLAND, being thoroughly conversant with both English and German certify that I have acted as interpreter for the swearing of this affidavit.

/s/ EMMA W. SCHWABENLAND

55 PL

Nuernberg, Germany, 30 July 46.

Subject: Treatment of foreign civilian workers and prisoners of war.

A F F I D A V I T

of

Herr Josef REINHARDT, born 29 June 1899 in Sulzheim, district of Gerolzhofen, residing in Memmelsdorf, district of Ebern. Profession: Mechanical Engineer at present detained at Nuernberg Court Gaol,

being duly sworn depose and say:

I. After perusal and examination of the existing statements in lieu of oath, submitted by former political leaders from internment camps concerning the above mentioned counts of indictment, I have established and I testify that

15 433 Statements in lieu of oath

have been submitted me for examination.

II. In the statements in lieu of oath submitted:

1. 9234 political leaders have asserted that the housing of the foreign workers was attended to in a correct manner,
2. 11421 political leaders have asserted that the foreign workers were fed and clothed correctly in accordance with wartime conditions, that in many cases the rations were, thanks to the granting of supplements, even more favourably adjusted than for normal German consumers,
3. 12775 political leaders have asserted that the foreign workers

H5123-0055

H5123 - 0056

were treated justly and decently by their employers, that isolated cases of excesses were punished, that medical care, social and cultural services were available in the same manner generally as for German workers.

4. 179 political leaders assert that pregnant female workers were treated and taken care of decently, and that furthermore women in childbed, infants and small children were looked after in the most comprehensive manner.

In numerous statements political leaders pointed out that foreign workers

a. Distinguished themselves particularly by voluntary help during air attacks.

b. Out of thankfulness for good treatment remained voluntarily at their places of work after the capitulation, and protected their employers against plundering and molestation.

The facts mentioned above correspond to the truth. I expressly certify that all statements submitted to me are properly evaluated and considered.

(signed) JOSEF REINHARDT.

Signature of Affiant.

Subscribed and sworn to before me this 30th day of July 1946 at Nuernberg, Germany.

(Signed) FRANCIS ALIX, Capt
01170619.

Name, grade, & ASN.

I, KVETA LIKOVSKA, being thoroughly conversant with both English and German, certify that I have acted as interpreter for this swearing (affidavit).

(Signed) KVETA KIKOVSKA.

H5123 - 0057

Nurnberg, Germany,

30 July 1946. 56 P.L.

Subject: Count of Indictment dissolution of the Trade Unions.

Affidavit

of

Herr Joseph Reinhart

I, Joseph Reinhart, born on 29.6.1899 in Sulzheim/Gerolzhofen, residing in Memmelsdorf, District Ebern; Profession: machine engineer,

at present - Court Prison Nurnberg, being duly sworn depose and say:

1. After perusal and examination of the statements in lieu of oath now before me, which were handed in by former political leaders from the internment camps concerning the the above Count of Indictment I state and testify that

5157 statements in lieu of oath

were handed to me for consideration.

11. In these declarations the political leaders have affirmed:

1. 3507, that the trade unions which existed before 1933 were not dissolved, but taken over in a regular manner - without employment of force - by the NSBO and transferred to the DAF.
2. 1805, that the properties and obligations connected with them belonging to Trade Unions before 1933 were taken over in a regular manner by the DAF,
3. 3509, that the legal claims of the members against the Trade Unions were recognized by the DAF, extended and satisfied.
4. 3094, that a considerable number of the former functionaries and employees in the service of the Trade Unions were re-employed by the DAF and the employees were dismissed in a regular manner with retention of their claims.

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The above mentioned facts correspond to the truth. I assent expressly that all declarations submitted were evaluated and considered.

s/ Joseph Reinhart,

Signature of affiant

Subscribed and sworn to before me this 30th day of July 1946 at Nurnberg, Germany.

s/ Francis Alix, Capt.
0-1170619
Name, grade, & ASN.

I, Kveta Likovska, being thoroughly conversant with both English and German certify that I have acted as interpreter for the swearing of this affidavit.

s/ Kveta Likovska

H5123-0059

57 PL

Nuernberg, Germany. 30 July 46.

Subject: Political Leaders and Concentration Camps.

by

A F F I D A V I T

Dr. Richard MUELLER, retired Government Counciller and Former Auditor in the Reich Treasury of the NSDAP.

I, Dr. Richard MUELLER, born on the 16 July 1904, in Munich, domiciled at Hahnbach bei Amberg, by profession jurist, now in the Court Prison at Nuernberg, being duly sworn depose and say:

after perusal of the statements in lieu of oath under consideration, originating from concentration camps and submitted by former political leaders with reference to the count of indictment mentioned above:

To prove that the political leaders cannot be made responsible for the crime imputed to them by the Prosecution in relation to the concentration camps,

23060 statements in lieu of oath

were submitted.

In these, former political leaders have established

1. That they neither had authority to imprison political enemies in concentration camps norewere they in any way connected with the planning, erection or management of concentration camps, and that State Offices were exclusively competent for this.

6875 Statements of which 6828 from three camps alone.

2. That they had not the slightest knowledge of what went on in the concentration camps. 14763 statements, 12697 from four camps alone.

and could furthermore, have no such knowledge for the reasons among others, that

a. discharged prisoners, when questioned, either made no statement because of the rule of secrecy imposed upon them

H5123-0060

with regard to conditions in concentration camps
7 Statements,
or described conditions in concentration camps as beyond reproach. 102 Statements.

b. On occasional inspections of concentration camps they were able to convince themselves of the irreproachable conditions in these camps. 35 Statements.

c. They were informed of orders expressly forbidding mistreatment of concentration camp internees under pain of punishment. 4 Statements,
or were informed of the severe punishment inflicted upon concentration camp personnel for outrages on concentration camp internees. 4 Statements.

3. That they

a. Tried to contribute to the release of internees from concentration camps and had even kept political foes from being interned in concentration camps, not only by refraining from presenting active political foes but even by helping them in their career. 285 Statements.

b. Particularly attended to the needs of concentration camp internees' relatives on the basis of certain stipulations of the party and helped discharged internees in their career. 773 Statements.

The above stated facts are true. I have read through and signed this statement.

Dr. Richard UMELLER
Signature of Affiant.

Subscribed and sworn before me this 30 Day of July 1945, at Nurnberg, Germany.

Francis Alix, Capt. 0-11706
Name, Grade - ASN.

I, ..., being thoroughly conversant with both English and German certify that I have acted as interpreter for the swearing of this affidavit.

Nuernberg, Germany 29.7.46.

58 PL

Subject to: Political Leaders and Einsatzstab Rosenberg.

A f f i d a v i t

of

Herr Dr. Richard Mueller, Government Councillor, retired and former special advisor (Referent) to the Reich Treasurer of the National Socialist Party.

I, Dr. Richard Mueller, born on 16.7.1904 in Munich, residing in Hahnbach near Amberg, lawyer by profession, at present imprisoned in the Nuernberg Court Jail.

being duly sworn depose and say:

After examination of the statements in lieu of oath, which are lying here before me and which were presented in answer to the charge indicated above by former Political Leaders from the internment camps, as proof that the Political Leaders cannot be made responsible for the crimes asserted by the Prosecution in connection with the Einsatzstab Rosenberg,

9870 statements in lieu of oath

have been presented from 5 internment camps.

In them, former Political Leaders state unanimously that they had nothing in the slightest to do with the Einsatzstab Rosenberg. It was further stated in the individual statements before me; in connection with which only 3 former Political Leaders knew of the Einsatzstab Rosenberg and therefore could make such individual statements:

1) That the Einsatzstab Rosenberg was authorised in their activities in the occupied territories by a special Fuehrer decree and in its organisation strictly separated from the party offices of former Reichsleiter Rosenberg - 1 statement -,

H5123 - 0061

2) that the members of this Einsatzstab differ also in their uniform, servicebooks etc. from the Political Leaders. - statement - ;

3) that the property rights to the cultural property, confiscated by the Einsatzstab Rosenberg should only be decided upon by the peace treaty - 1 statement - ,

The above mentioned facts correspond to the truth. I have read and signed this statement.

s/ Dr. Richard Mueller

Subscribed and sworn to before me this 30th day of July 1946 at Nuernberg, Germany.

Francis Alix (Capt) O-1170619

Name, Grade, ASN

I, Emma W. Schwabenland, being thoroughly conversant with both English and German certify that I have acted as interpreter for the swearing of this affidavit.

s/ Emma W. Schwabenland.

H5123-0062

H5123-0063

59 PL

Nuernberg, Germany. 29 July 1946

Affidavit

by Karl Richard ADAM

I, Karl Richard Adam, born 3 June 18[illegible] at Langenhain,
district of Es[illegible]wege,
residing at Eschwege,
Profession: locksmith

at present in court prison at Nuernberg

I, duly sworn depose and say:

That I was handed by Herr Karl HEDERICH a total of

7,794 statements in lieu of oath

made by leaders of the former NSDAP, expressing their opinion, in part on all counts of the indictment, in part on

count Euthanasie

specifically.

Having gone through and examined these declarations in lieu of oath, I establish and testify that:

1. 7642 Former Political Leaders state in declarations of general content as well as in composite declarations that they never had any knowledge of an order on putting mercifully to death mentally sick persons; that they neither received orders nor were called to act as instruments of execution.

2. 4 Former Political Leaders state in individual declarations that they had heard something about the purported killing of mental incurables but that they neither participated in the matter nor had they been asked to participate.

For example, Dr. BLOME, the former deputy leader of the union of German Reich physicians, declared that he, too, did not obtain knowledge of the action until 1940 in the course of a conversation and simultaneously through a written message received from Professor KLARE, Bielefeld. Neither he nor the Office of the Union of German Reich Physicians had any connection with the action.

H5123-0064

3. 5 Former Political Leaders who worked in communities which had institutions for the care of the sick - for example Ortsgruppenleiter (local group leader) von Haddamar, district of Limburg, or those who worked in such institutions or who inspected them, declared that they found no confirmation for rumors in circulation or that they were told to refrain from interfering in matters which do not concern them.

4. 38 Former Political Leaders, members of professions concerned with public health - from Camp Nattenberg - state that they were informed neither officially nor unofficially, nor had they been called upon to carry any measures into effect.

I declare that all the documents which were submitted to me are still in my possession and that I have used them conscientiously.

s/ Karl Rich. ADAM

Signature of person making the affidavit

Subscribed and sworn to before me this 30th day of July 1946 at Nuernberg, Germany.

s/ Francis Alix CAPT
O-1170619
Name - Grade - Asn.

I, Emma W. SCHWABENLAND, being thoroughly conversant with both English and German certify that I have acted as Interpreter for the swearing of this affidavit.

s/ Emma W. SCHWABENLAND

H5123-0065

60 PL

Nuernberg, Germany.
27 July 1946.

A f f i d a v i t

of

Herr Bolko Count von ROEDERN

I, Bolko Count von ROEDERN, born 14 November 1911 in Berlin, last resident in Bad Schandau, occupation: Gerichtsassessor, at present in Court House Prison, Nuernberg, being duly sworn depose and say:

A total of twenty seven thousand, seven hundred and thirty five testimonies in lieu of oath of political leaders of the former NSDAP have been handed over to me by Herr Karl HEDERICH, in which a stand is taken especially in the matter of the

Count of Indictment of a conspiracy against the peace.

After perusal and examination of the previously named testimonies in lieu of oath, I establish and testify:

1). 24,871 former Political Leaders state in declarations of general content or in collective declarations that they

neither participated personally in preparations for war, nor were given any information of any such preparations through their superior party offices.

2). 5,029 former Political Leaders take a stand in the matter of the Count of Indictment in individual declarations, giving more detailed reasons Four points of view are continually repeated singly or together, upon which the former political leaders based their conviction at that time, that the National Socialist Leadership was peace loving.

H5123-0066

a) The inner political and economic construction program of Adolf HITLER, which was capable of execution only in peace time.

b) The various offers of Adolf HITLER to preserve the peace of the world through disarmament, bilateral treaties, etc., and his readiness for peace, so convincingly presented in this connection in great speeches.

c) The recognition of the National Socialistic Reich through the foreign powers, and the fact of the visit of leading statesmen from subsequent enemy countries to the great institutions of the German Reich and the NSDAP, (Olympic Games, Party Rallies).

d) The fact that the outbreak of the war was a great surprise, not only for the German people generally, but also for the political leaders and that the adoptation with regard to the organization, personnel and technical matters of the various spheres of activity of the Party, had to be carried out unprepared only after the outbreak of war.

3. All former political leaders of the foreign organisation of the NSDAP, whose declarations were submitted to me, report that they had no instruction of any kind which were concerned with preparations for war abroad.

(s) Bolko Graf von ROEDERN

Signature of Affiant

Subscribed and sworn to before me this 30th day of July 1946 at Nuernberg, Germany.

(s) Francis Alex Capt O-1170619
Name - Grade - ASN

I, Emma D. SCHWABENLAND, being thoroughly conversant with both English and German certify that I have acted as interpreter for the swearing of this affidavit.

(s) Emma D. SCHWABENLAND

H5123-0067

SUBJECT: LYNCH LAW 61 PL

A F F I D A V I T

of

Herr Heinrich WALKENHORST, former Director of the Reich Security Main Office (RSHA), residing at Oldenburg in Oldenburg.

I, HEINRICH WALKENHORST, born on 14 August 1906 at Osnabrueck, residing at Oldenburg in Oldenburg, at present in the Court House Prison at Nuernberg, being duly sworn, depose and say:

1. After having perused and examined the declarations in lieu of oath before me, which were submitted by former political leaders from the internment camps to the above-mentioned Count of Indictment, I hereby state and certify that

10,922 declarations have been submitted to me for consideration

In these declarations the former political leaders have certified the following:

89 political leaders declare in lieu of oath, that they have protected shotdown aviators from mistreatment.

159 political leaders declare in lieu of oath, that they have sheltered shot-down Allied aviators, and temporarily billeted and fed them in private apartments, partly their own.

57 political leaders declare in lieu of oath, that they have saved Allied aviators shot down in their area from peril of death, partly at the risk of their own lives.

88 political leaders declare in lieu of oath, that all aviators who have crashed fatally in their areas had been buried in cemeteries with all honors, and that their graves had been constantly cared for.

283 political leaders declare in lieu of oath, that they were in the possession of clear orders, which provided that shot-down Allied aviators were to be treated in accordance with international law. They declared in part, that these orders were promulgated by party agencies / Local Group, District, Gau / with instructions for strict observance.

1,102 political leaders declare in lieu of oath, that all Allied aviators shot down in their areas have been treated in accordance with international law and the instructions given them.

H5123-0068

9,144 political leaders declare in lieu of oath, that they had no knowledge of orders or other directives which provided that Allied aviators were to be subject to lynch law in violation of international law.

In the above-listed individual statements exact details, witnesses, and in part the names of the aviators shot down were generally given. It can be seen from several declarations that rescued aviators have thanked political leaders for their assistance.

I declare that I have considered all declarations in lieu of oath which have been submitted to me, and that none have been eliminated.

I certify expressly, that the data given above is in conformity with the truth.

The declaration before me has been perused by me and has been signed by my own hand.

Subscribed and sworn to before me this 30th day of July, 1946, at Nuernberg, Germany.

s/ HEINRICH WALKENHORST

s/ FRANCIS ALIX
Capt. O-1170619

I, EMMA D. SCHWABENLAND, being thoroughly conversant with both English and German certify that I have acted as interpreter for the swearing of this affidavit:

EMMA D. SCHWABENLAND

Nuernberg, Germany.
29 July 1946

A f f i d a v i t

of

Herr Reinhard S C H O E N

I, Reinhard SCHOEN, born 18 December 1903 in Dresden, resident in Bergtheim No. 88 in Wuerzburg, occupation: Merchant

at present Court House Prison, Nuernberg, being duly sworn depose and say:

All in all 21 131 testimonies in lieu of oath of political leaders of the former NSDAP have been given to me by Herr Karl HEDERICH, in which they take a definite stand specially to the

Count of the Indictment Question of the Churches

After scanning and examining the above testimonies in lieu of oath, I confir and bear witness:

A. General Testimony

21 131 former political leaders record in declaration of general content or in collective declaration either all or individually the following three points:

1. That in the individual former local groups (Ortsgruppen) of the NSDAP - whether in the country or in the city - church life remained undisturbed and that the party with its individual members and partly also officiall and in uniform took part in church life and/or supported it.
   The testimonies in lieu of oath record participation and/or individual carrying out of:
   baptisms - confirmations - communions - mournings - processions - burials - church attendance - religious education, etc.
2. That commands were neither received or passed on by the political leaders which required them to leave the church. Recorded instances where people left the church were the result either of personal convictions or rejection of the existing struggle within the church itself especially in the years 1934 to 1935.

H5123 - 0069

H5123-0070

3. That the NSDAP in the individual local groups (Ortsgruppen) through personal connections and also officially maintained friendly relations with religion. This good relationship found expression especially in the celebrations carried out by the party and the church in common. Such celebrations: memorial days - Mother's Day - Thanksgiving Day - burial of victims of the air attacks - are named in the declarations.

B. Special Testimonies

Detailed testimonies in lieu of oath which refer to the special relationships between church and party in individual localities report:

1. Financial support of the church from community funds.
2. Special expenditures and assistance in building and renovating churches also emergency relief, etc.
3. Allowing confessional establishments like kindergarden, cloister schools, sisters' stations, etc.
4. Administration of party offices through religion.
5. Entire localities remained without leaving from the church.
6. Punishment of political leaders for violating the order forbidding talking on the question of churches.
7. Political leaders and officials of the party offices up to Reich offices were never coerced to leave the church.
8. The failure to carry out the State Order for the removal of the crucifixes on the part of the political leadership.
9. Intercession of religious persons for interned political leaders, attempts at release from arrests, etc.

H5123 - 0071

10. Holding positions in the church in spite of party affiliation and activity as political leaders.

(Of 500 declarations picked at random and specially checked on this point, 42% were holders of church offices.)

Herr Reinhard SCHOEN

Signature of Affiant

Subscribed and sworn to before me this 30th day of July 1946 at Nuernberg, Germany.

FRANCIS ALIX CAPT O-1170619

Name - Grade - ASN

I, Emma SCHWABENLAND, being thoroughly conversant with both English and German certify that I have acted as interpreter for the swearing of this affidavit.

Emma W. SCHWABENLAND

I, 14 62A PL

(Page 1 of original)

Nuernberg, 18 7.46.

A F F I D A V I T

by

Professor D. CAJUS FABRICIUS.

I, D. CAJUS FABRICIUS, born on 16 Aug. 1884 in Graudenz, by profession a full professor of theology, residing in Hirchhorn on Neckar, at present Court prison Nuernberg, being duly sworn, depose and say:

a) Personal Data:

I am professor of theology, ordained as a protestant clergyman in 1909, university teacher in Berlin since 1911, in Breslau since 1935. Maintaining relations with numerous foreign Church Leaders through my theological publications, I always strove for peace in the church and among nations. In 1932 I became a member of the NSDAP for Christian-Social reasons, I never belonged to the SA. In 1939, because of my opposition to the anti Christian efforts of HIMMLER, I was imprisoned by him for two months, and in 1940 I was expelled from the Party by BOUHLER without legal party proceedings. After that I had five years city arrest (Stadtarrest) and in 1943 I lost my office as professor as an enemy of the state. Since 17 June 45 I have been interned in Ludwigsburg.

b) Concerning the Case:

The religious attitude of the SA. As an objective observer I have ascertained the following:

1. During the period after 1930, especially after 1933, large numbers of Protestant theological students in the institutions where I was teaching, th is the universities of Berlin and Breslau, were at the same time members of the SA. I myself - apart from my Christian-Social service for the unemployed - was also induced to join the Party because of the outstanding character of these students. The fact that these future spiritual advisers of the people, young men of undoubtedly the most noble conviction, became

H5123 – 0072

H5123 - 0073

members of the SA in such large numbers, proves irrefutably that the SA cannot have been a criminal organization.

2. As a student of theology from Lauban in Silesia reported to me in 1936, since 1933 all the members of the Young Men's Christian Association from there, that is an association of strongly Christian laymen, joined the SA together. It is not conceivable that members of this world-wide Christian organization, which has its headquarters in the U.S.A., should have joined a criminal organization.

3. At the end of 1933 I had a conference in Berlin with the two highest officers of the Salvation Army; the latter informed me that the asylums of the Salvation Army for the homeless and neglected in Berlin had been emptied in the course of 1933, because as a result of the National Socialist rising unemployment had considerably decreased. The Salvation Army voluntarily put these asylums at the disposal of the SA for its purposes. As is well known, the Salvation Army is a Christian organization, which has as its principal goal the conversion of those who have gone astray. And so if the Salvation Army transferred its asylums to the administration of the SA, this proves, that it did not consider the SA as a criminal organization, but on the contrary that it considered the brown battalions precisely as a Salvation Army.

Note:

1. If in the period before 1933 individual Germans in great distress sought and found refuge in the SA, this does not mean that there they allied themselves with a gang of robbers. On the contrary, they wanted to extricate themselves from the desperate situation in which the German people found itself under the pressure of the Treaty of Versailles, and - with the help

H5123-0074

of one party in one democratic state - to return to a decent and orderly life.

2. If in later years isolated attacks occurred against Christianity and the churches even within the SA, this, just as in the NSDAP altogether, is traceable to the acts of individuals, who fell away from the Christian principles of National Socialism and must therefore be considered as illegitimate.

The above-mentioned facts correspond to the truth. This statement has been made of my own free will and without any compulsion. I have read it through and signed it.

Subscribed and sworn to before me this 22 day of July 1946 at Nuernberg, Germany.

s/ Signature

Name, Grade, ASN

I, KVETA LIKOVSKA, being thoroughly conversant with both English and German, certify that I have acted as interpreter for the swearing of this affidavit.

s/ Signature.

Nurnberg, Germany, PL 63

25 July 1946. PL 63.

DECLARATION IN LIEU OF OATH

OF

PAUL WEGENER

I, PAUL WEGENER, born on 1 October 1908 at Varel in Oldenburg,

Profession: Graduate Specialist in Colonial Economy (Diplom Kolonialwirt).

District Leader and Reich Governor (Reichsstatthalter) of the Weser-Ems District, Senior President (Oberpraesident) and Reich Defense Commissioner, at present in the Court House at Nurnberg, do duly depose and say:

A. 1. In April 1946 the internees confined in the Civilian Internment Enclosure Camp 91 at Darmstadt were acquainted for the first time with the main counts of the indictment presented in Nurnberg, and requested each as he was able to reveal his attitude toward them. The result of the project was substantially that of a total of 11.000 internees as members of the Corps of Political Leaders approximately

98%

declared in lieu of oath, that they had not known anything of the alleged crimes and had not participated in them.

II. Numerous declarations in lieu of oath listed under figure I went beyond a mere denial of the allegation of the Prosecution and gave proof of behavior exactly opposite to these allegations. In order to obtain these declarations, so important for the Defense, in more clear and complete form, the internees confined as members of the Corps of Political Leaders were once more requested in May-June 1946 to the extent that they might be able to prove a behavior during their term of office, which was the opposite of that stated in

H5123 - 0075

H5123 - 0076

the counts of the accusation, to describe this through declarations in lieu of oath according to the counts of the indictment listed under figure B 1.

III. At the same time, all those interned as members of the Corps of Political Leaders were requested to make special statements through a standard questionnaire (enclosure 1) in the form of declarations in lieu of oath, in order to produce statistics. The declarations in lieu of oath which were collected in these three projects were accepted by approximately 100 jurists capable of serving as judges, and carefully evaluated, so that my following statements are based on a conscientiously calculated foundation.

B. 1. To the special interrogation listed under figure A 11, 6133 declared the following to the individual counts in lieu of oath:

1. Treatment of enemy aviators.

342 from 28 former Gaus of the NSDAP stated the enemy aviators who had parachuted

A. were saved and sheltered, or supplied with food and drink, or received medical aid, or were otherwise well treated,

B. the dead were secured and buried and the graves cared for,

C. orders for mistreatment or killing were neither issued nor passed on by higher party offices,

2. Concentration Camps.

497, stated

A. that they made efforts not to have political opponents arrested, or tried to obtain the release of persons in confinement.

B. that political opponents and their families were cared for to the utmost extent by the National Socialist Organization for Public Welfare (NSV) and the Winter Relief Organization (WHW).

C. that the inspection of concentration camps, such as Buchenwald, Dachau, Oranienburg and Mauthausen was only possible for them in a very few indicidual, exceptional cases, and that on these occasions no bad impressions arose about the living conditions, the treatment and the food of the inmates.

3. Taking Over of the Labor Unions.

92, stated that the taking over was carried out smoothly and correctly, without coming to violence; that the work of the labor unions continued, and the rights of the members of the labor unions (insurance and pensions) remained fully in force.

4. Treatment of the Civilian Population in the Occupied Territories.

84, stated that -

A. Political Leaders, as a matter of fundamental principle did not have to do with the treatment of the population in the occupied territories,

B. the use of Political Leaders was only practiced in the occupied territories on special occasions, namely, in emergencies through the National Socialist Organization for Public Welfare (NSV), or for economic and social reasons by the German Labor Front:

For example: in the occupied Polish territory in Warsaw alone 250 - 300,000 liters of warm food and bread were distributed dailey to the starving population, and the returning population of the French, Dutch, and Belgian territories was cared for by the NSV,

C. children of many different countries who were in need of convalescence were sent to Germany, X-Ray group - examinations were carried out and living quarters, plant kitchens, etc, were established.

H5123 - 0077

H5123 - 0078

5. The Jewish Question.

740 from almost 30 gaus of the NSDAP stated -

A. that regardless of their political attitude and their party office, they still engaged in personal relations with Jews after the seizure of power,

B. that they supported Jews economically, or that they gave them medical care,

C. that they treated Jews humanely in every way,

D. that they prevented excesses against Jews on 9 and 10 November 1938, or protected Jews, and

E. did everything to have participants in the above-mentioned actions punished.

6. Treatment of Prisoners of War.

1257 from 20 former gaus of the NSDAP, in particular from 137 districts of the gaus of Hessen-Nassau, Kurhessen, Thuringia, Bayreuth, Saxony and Halle-Merseburg stated that

A. In the country prisoners of war were treated like members of the household, that they were not only given self-supporting rations, but that they also received gifts in clothing, tobacco, groceries and foodstuffs,

B. their working hours and treatment were in accordance with international law, that they in sports, that they were given the opportunity of attending services, and that theater and movie performances were shown to them,

C. they gave voluntarily to the Winter Relief Fund (WHW), or repeatedly expressed their place of work even after the capitulation and the dissolution of the assembly camps, and often voluntarily saved their employers from looting by other foreigners.

H5123-0079

7. The Persecution of the Church.

1845 from 34 former gaus of the NSDAP stated that not only were there no orders or directives of the NSDAP for them to leave the churches, but on the contrary that they and their families were church members; that the relations between party and church were good in their areas, that new church buildings were approved and constructed in the communities, and likewise cash-contributions, purchases ans repairs.

8. Treatment of Foreign Workers.

1215 from 37 former gaus of the NSDAP stated that

A. recruiting and employment of foreign labor had never been the task of the Political Leaders,

B. General supervision in industry and business was assured by the German Labor Front (DAF and in agriculture by the Reich Food Agency (Reichsnaehrstand), which also provided medical aid and hygiene in the camps, fair wages and establishment of spare time.

C. billeting and supply were regulated by directives, and

D. the measures in the camps were checked out of a natural feeling of responsibility, and Political Leaders, if they were employers, tried to set a good example.

9. Killing of the Mentally Deranged.

38 stated that the Political Leaders did not know anything of the killing of the insane and that they did not have anything to do with it, but that the lodging and attendance and food of the patients was even exemplary, and furthermore that oral reports by the doctors during inspections revealed a high sense of responsibility and sympathy with the patient that killings were rejected by the doctors as impermissible from the religious standpoint and also because of the abuse.

B: III. In conformity with the statistics listed in Figure A III, 9403 of those confined as Political Leaders, who at the time were in Camp 91, at Darmstadt, deposed testimonies in lieu of oath between the middle of May until early June 1946, in which they presented as evidence behavior contrary to that asserted by the Nurnberg Prosecution. The 9403 persons confined as Political Leaders, according to these statistics, - as is shown by Figure A III - represented

65.2 PERCENT

of the total of Political Leaders confined in Camp 91 at the time. The remaining 34.8 percent had already testified in lieu of oath in April 1946 on the basis of the total charges, as stated in Figure A 1 that they had neither participated in the crimes alledged by the Nurnberg Prosecution, nor had had any knowledge of them.

B.III. The careful evaluation of the statistics mentioned in Figure A III, which included all the 9403 interned as Political Leaders. showed in detail:

Age According to their ages, the Political Leaders are divided as follows: There are

below 30 years	45	- 0,43 Percent
from 31-40 years	1255	-13.32 "
from 41-50 years	4350	-46,22 "
from 51-60 years	3021	-32,22 "
above 60 years	732	- 7,81 "

More than 85 percent of the Political Leaders, therefore, are more than 40 years of age, and more than 40 percent are even older than 50 years. The reason for this lies in the fact that in order to take care of the tasks of the party the older persons had to be used more and more, because during the war the younger ones were in the armed services.

Service in the armed forces From the Political Leaders included here - 4214 were soldiers for a shorter or longer period in the war from 1939 - 1945, that is

44.81 percent

H5123 - 0080

H5123-0081

and in the first World War

5360 that is 57.60 percent

of the total number were

in the armed forces.

It can, therefore, be clearly seen that the charge that the Political Leaders had dodged service in the armed forces, is completely unjustified.

It also shows only

Deferments 2662 - 28.3 percent

were permanently deferred from military service, however not perhaps for their activity as Political Leaders, but because of their civilian occupation. Because of their activity within the party only

95 - 1.01 percent

were placed in the deferred class. In such cases it was only a question of activity in a main office in the national or gau administration.

Family Status Of the 9403 political leaders included

9098 - 96.75 percent were married
40 - 0.42 percent were divorced
265 - 2.83 percent were single

Altogether they had

19,818 children.

The indictment also directly affects:

9403 Political Leaders
9098 wives
19, 818 children
Total: 38,319 persons; this is

4.07 times the number of accused persons, not counting the parents and brothers and sisters, who in many instances will also have to suffer personally economically, and financially from the condemnation.

The Political Leader is by his descent, his training and talent a criminal, his selection is made according to these points ov view, says the Prosecution.

What is to be learned from the statistics?

From what social class do the Political Leaders come?

Their fathers belonged to the following callings:

Calling of the fathers:		
	Untrained workers	293 - 3.1%
	Trained workers	884 - 9.4%
	Farmers	2,570 -27.4%
	Independent craftsmen	2,102 -22.3%
	Independent merchants	663 - 7.1%
	Industrialists	111 - 1.2%
	Employees	465 - 4.9%
	Higher officials	140 - 1.5%
	Officials and employees of the public services	1,733 - 18.4%
	Independent callings	233 - 2.5%
	Other callings.	209 - 2.2%

Exactly half of the fathers of the political leaders were thus farmers and independant craftsmen. Only 3.1% were untrained workers, all others had a calling which presumes a special training. There is no supporting point for criminal inclinations:

Vocation of the Political Leaders:	Before 1933	After 1933
Untrained workers	161-1.7&	106-1.0%
Trained workers	725-7.7%	588-6.3%
Farmers	1,563-16.7	1547-16.4%
Independent craftsmen	1,123-11.9%	903-9.5%
Independent merchants	747-7.9%	610-6.5%
Industrialists	60-0.6%	64-0.7%
Employees	1,408-14.9%	1554-16.4%
Higher Officials	252-2.8%	360-3.7%
Officials and employees of the public services.	2,674-28.5%	3119-33.8%
Independent callings	433-4.6%	373-4.0%
Other callings.	257-2.7%	179-1.8%

H5123 - 0082

From the callings of the political leaders themselves also nothing can be recognized which could point to a criminal inclination. Only 1% are untrained workers. 99% have calling which assume a professional training. Here also the main emphasis is on farmers and independent craftsmen. Of greater importance, however, is a development tending to an independent position.

H5123 - 0083

The number of the employees and officials of the private and public services has risen since 1933, whereas on the other hand the independent callings show a falling off after 1933.

Preliminary Punishments: have shown 208 Political Leaders.

From whom are punished:

Non-valid Sentences	2
Police punishments	4
Offences against provincial penal law	1
Tax evasion	3
Cancelled punishments	29
Monetary fines up to RM 100	76
from RM 101 to 500	25
" RM 501 and over	6
	146

Total number punishments by imprisonment:

Detention	2
Arrest	4
Fortress imprisonment	1
Prison	50
Penal servitude	3
Solitary confinement	2
	62

Total: 208.

The number of cases of punishment with recognisably selfish or criminal motives (particularly offences against property, moral, abortion, perjury). 12

Expulsion from the Party on account of punishable offences occurred in 11cases

Preliminary punishments including violations 169 - 1.79%

Imprisonment 62 - 0.65%

Offences with recognizably selfish or criminal motives. 12 - 0.12%

H5123-0084

H5123 – 0085

Churches

Belonging to the:

Evangelical Church	4,747	- 50.4%
Catholic "	1,581	- 16.8%
Other "	61	- 0.65%
Total:		67.85%
Believers in God	2,924	- 31.2%
Non-believers	90	- 0.95%
Total:		100%

More than two-thirds of the political leaders thus belonged to the church. Amongst them besides their party functions the following political leaders held church offices - such as church wardens, sacristans, organists, choir leaders, etc.-

Before 1933	857	- 9,22%
After 1933	1200	- 12.76%

Party offices
of Political Leaders.

The 9403 political leaders have filled simultaneously

15,087 offices.

Have filled offices simultaneously or successively

2	offices	2703 Political	Leaders
3	"	983 "	"
4	"	260 "	"
5	"	50 "	"
6	"	14 "	"
7	"	1 "	2

These offices are classified as follows:

1. According to region
2. According to time
3. According to field of activity.

1. Classification according to region.

Of the offices named the following fall to the districts:

Foreign organizations	30
Baden	432
Bayreuth	1454
Berlin	158
Danzig	34
Duesseldorf	77
Essen	64
Francony	143
Halle-Merseburg	736
Hamburg	36.
Hesse-Nassau	3999
Kaernten	7
Cologne-Aachen	130
Kurhessen	2337
Magdeburg-Anhalt	317
Mainfranken	146
Mark Brandenburg	107
Mecklenburg	29
Moselland	142
Munich-Upper Bavaria	146
Lower Danube (Niederdonau)	26.
Lower Silesia (Niederschlesien)	92
Upper Danube (Oberdonau)	11
Upper Silesia (Oberschlesien)	96
East Hanover (Osthannover)	177
East Prussia (Ostpreussen)	70
Pomerania	51
Saxony	815
Salzburg	2

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Schleswig-Holstein	32
Schwaben	68
Styria	9
Sudetenland	100
South Hanover- Braunschweig	178
Warthe-Gau	70
Weser-Ems	496
Westfalia-North	133
Westfalia-South	77
Westmark	496
Vienna	31
Wuerttemberg	476
Tyrol	12
Thuringia	1299
General Gouvernment	1
Reich Leadership (Reichsleitung)	23

All districts (Gaue) are, therefore, represented in Camp 91, although, for obvious reasons, they are of different strength.

2. Composition according to time.

The 15,087 offices concerned were held in

the years	offices held	percentage
before 1933	1478	9.8
1933	3224	21.3
1934	4963	32.9
1935	5535	36.7
1936	5965	39.5
1937	6426	42.6
1938	6804	45.7
1939	6783	45.0
1940	5145	34.1
1941	6196	41.0
1942	6440	42.6
1943	6726	44.5
1944	6540	43.3
1945	5889	39.0

It can be seen from that that at no time were more than

45.7. percent of the offices concerned filled

If it is furthermore taken into consideration that in the years

before	1933	1478
	1933	2044
	1934	2052
	1935	1190
	1936	1029
	1937	1091
	1938	1119
	1939	1073
	1940	685
	1941	872
	1942	796
	1943	961
	1944	618
	1945	79

offices were exercised for the first time and

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before 1933	318
1933	298
1934	606
1935	577
1936	626
1937	737
1938	1034
1939	1443
1940	713
1941	577
1942	648
1943	842
1944	779
1945	5889

offices filled for the last time, thus it appears from this, that the number of political leaders holding office during a particular event was still much smaller. Thus, for instance, seen purely from the point of view of time, of 15,087 political leaders,

at the most 6804 - 45,7 percent come into consideration, for the events of 9 November 1938, whereto 1119, who in this year held their office for the first time, and 1034, who in this year held it for the last time may also possibly be noted.

Duration of holding of office.

The duration of holding of office by the same political leaders is therefore quite different.

There were:

1 year	930	pol. leaders	- 6.1 percent
2 years	2325	"	-15.4 "
3 years	2262	"	-15.0 "
4 years	1670	"	-11.1 "
5 years	1459	"	- 9.6 "
6 years	1444	"	- 7.5 "
7 years	945	"	- 6.2 "
8 years	779	"	- 5.2 "
9 years	619	"	- 4.1 "
10 years	498	"	- 3.3 "
11 years	487	"	- 3.2 "
12 years	602	"	- 4.0 "
13 years	464	"	- 3.1 "
14 years	163	"	- 1.1 "
15 years	51	"	- 0.3 "
16 years	18	"	-)
17 years	7	"	-)
18 years	4	"	-)0.2 "
19 years	4	"	-)
20 years	2	"	-)

in office.

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36.5 percent of the political leaders did not hold their office for 3 years.

57.2 percent did not hold their office longer than five years

80.2 percent held thier office as party officials for less than 10 years.

The very duration of their activity as political leaders makes it impossible for them to have taken part in all, or even in most of the events which are the object of the indictment.

3. Classification according to spheres of activity.

The 15087 offices which form the basis of this table divide themselves according to their sphere of duty as follows:

Party dignitary (Hoheitstraeger)	5968 - 40	percent
Propaganda office	1221 - 7.4	"
Organization office	698 - 4.6	"
Personnel office.	302 - 2.0	"
Training office	696 - 4.6	"
Press office	360 - 2.4	"
Racial political office	25 - 0.2	"
Staff office (management)	242 - 1.6	"
Treasury office	1641 -11.1	"
Office for National questions	41 - 0.3	"
German Labor Front (NSNO)	1152 - 7.3	"
National Socialist Welfare (N.S.V.)	1545 -10.2	"
Technical office	59 - 0.4	"
NSKOV	144 - 1.0	"
Economical councillors	72 - 0.5	"
Office for municipal politics	76 - 0.6	"
Office for educators	178 - 1.2	"
Office for agriculturalists	173 - 1.2	"
Office for national health	49 - 0.4	"
Office for employees	207 - 1.4	"
Legal councillors	73 - 0.5	"
Party court	165 - 1.1	"

Office like League of women, students' league, professors' association and similar organization are not represented. The variety of the offices and their functions distinguish the political leaders fundamentaly from all the other indicted organizations which were commissioned for collected special data in purely technical matters.

Cbncerning general measures they were not better informed than any other party member.

Very generally the character of an organization.

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c) I have personally directed the operation of collecting the documentary proofs on which the above affidavit is based. The purpose was to collect legally unobjectionable evidence concerning the individual counts of the indictment. The contents of this affirmation in lieu of oath permits a trustworthy view of the relationship of the Political Leaders interned in camp 91 to the allegations of the prosecution. It furthermore gives information which is of strong value as evidence, because the indicated numbers are not based on information of selected witnesses but on the declarations of all the Political Leaders accidentally assembled in one camp. In case a further subdividing of the statement dealt with under No. B 1 (compare page 2 FF) should be necessary, I refer to individual treatises, which are in the hands of the defense counsels.

The facts described above are in conformance with the truth. This declaration has been given by me voluntarily and without compulsion. I have read the same and signed it.

PAUL WEGENER.

Subscribed and sworn to before me this 30th day of July 1946 at Nurnberg, Germany.

FRANCIS ALIX, Capt.
O-1170619
Name, grade, ASN.

I, EMMA D. SCHWABENLAND, being thoroughly conversant with both English and German certify that I have acted as interpreter for the swearing of this affidavit.

EMMA D. SCHWABENLAND.

H5123-0091

Civilian Internment Camp 91 I/C - 3a - 1

Darmstadt, 2 June 1946

AFFIRMATION IN LIEU OF OATH.

Fully aware of the importance of an affirmation in lieu of oath, I affirm in lieu of oath the accuracy of the following particulars for submission to the International Military Tribunal at Nurnberg:

Name: Hofmann First Name: Friedrich

Int. No.: 31G 5.174.960

---

1. Date of Birth: 8.1.1907 2. Place of Birth: Helbigsdorf.

3. Nationality: German. 4. Last domicile: Boritz/ Saxony.

5. Single or married: Married. 6. Children: two (2)

7. Professional capacity: Primary school teacher.

8a. Last profession exercised: Primary school teacher.

8b. Profession exercised before 1933: Primary school teac

9a. Religion: Believer in God (Gottglaeubisch).

9b. Church function: Chorist and Organist from: 15.7.46 to 28.2.1943.

10. Father's profession: Primary school teacher

11. Previous penal convictions: None

11a. Tribunal and date of conviction./.

11b. Penal offence: ./. 11c. Sentence: ./.

12. Date of NSDAP membership: 1.5.1937.

13. Previous party membership: None

13a. Administrative agent: No.

14. Functions in NSDAP:

National Socialist Public Welfare (NSV)

Block supervisor; from 1934 to 1937 Gau: Saxony District: Meissen.

Local chief cashier; from 1937 to 1942 Gau: Saxony District: Meissen.

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15. Army Service from 11.3.1938 to 22.3.1938

from ..... to.....

Air Force

From..... to.....

Navy from ..... to.....

Waffen SS from 1.3.1943 to date

from ..... to .....

16. Last military service rank: Reserve Untersturmfuehrer

17. I have belonged to the following organization:

	A from	B to	C Reason for joining	D Highest Rank
~~a) SA~~ aa) on 8.11. 1938	1.10. 1938.	31.71. 1934	voluntary	SA private
b) General SS				
c) Waffen-SS	1.3. 1943	to date	conscripted	Reserve Untersturmfuehrer
d) General Police				
e) Crim. Police				
f) SD				
g) Death's-Head Guards				
h) other SS				

E. Last office held; last unit.

a) None — Wilschuff Storm unit

c) Assignment as W.v.V. Fuehrer — Pr. Gren.a.u. EBU 11.

Signature opposite was given in my presence

Signed: Illegible

Signature

Friedrich Hofmann.

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Preamble

to the Draft for a New Legal Constitutional Body "SEUTSCHES KOLLEG". (Electoral College)

The experiences of history have shown that in Germany a democratic state constitution can function only within the confines of certain presuppositions. The great part of the population will always desire strong leadership to whom it can subordinate itself. This natural instinct has been misused in the recent past by the two representatives of a sovereign policy, Kaiser Wilhelm II, and Adolf Hitler.

In both cases it has been proved that the overwhelming majority of the people had been deluded by the peculiar qualities of these personalities. These men, especially the latter, have surrounded themselves with a halo of false grandeur kept alive by a number of zealots. The opinion of the leading intelligentia was drowned out by the noisy fanaticism of the misinformed masses, and all warnings were cast to the winds. The instinctive resistance against hero-worship which, at all times was strongest among the intellect classes, was likewise recognized and opposed by National Socialism. Its opponents, therefore, were, in the first plac the great representatives of a free spiritual life. There wa hardly any difference of opinion of the past regime among leaders and with idealistic courage they voluntarily made sacrifices and underwent privations because they would not renounce their principles.

All these forces, who with eyes wide-open, had witnessed the development of a frightful fraud on mankind without being able to do anything about it must, in future, form one group and, in a constitutional body maintain the right to exert an authoritative decisive influence on the government of th country. This body, which, in anneenclosed draft, is called "DEUTSCHES KOLLEG", is to have the character of a control organization above the parties and is to be responsible for a future policy will follow the course of peace.

The plans of the allied powers have the same aim in view along mechanical lines and also in re-educating the German people. The objection to such intentions is that the outcome will not come up to expectations because it does not take German nature into consideration.

The parcelling out of Germany into federal states corresponds to tactics which split up the ocean by walls in order to reduce the iszes of the waves. How long this costly product will last will be proved by the next storm. In principle, however, it must be noted that the German policy did not go wrong because it was centrally directed but because it lacked reasonable policies.

The re-education of the German people to independant democratic thinking now is a thankless task indeed, because this red thread which for 2000 years has run through German history will not fundamentally be changed in 20 years.

An important characteristic feature, which most Germans have in common, and which distinguishes them from the neighbouring people - with the exception of the slave - is blind obedience towards leadership, the subordination of one's own thinking to the ideas of a superior head. The defendants in the Nurnberg trial and also the numerous civil servants in the German people furnish the most striking proof.

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This trait, combined with industry and intelligence, is the key to the military phenomenen which the Germans have shown in history, and it is still aggravated by the present influx from the eastern territories. The people in themselves are neither more peaceful nor more warlike than other nations. If, therefore in future, they are to be lead into a peaceful development, then constant factor must be introduced into its leadership, which possesses enough strength and stamina to guarantee this development for an unlimited time.

On the strength of these reflections the "Deutsche Kolleg" is suggested, which in its composition gives first place to the reconstructive forces and which guarantees, as far as is humanly possible, a continuous peaceful development. "Das Kolleg" shall in no way replace a central government, but it shall play the role of a strong, equalizing regulator in the governmental machinery, which in the future will prevent dangerous explosions. Its classification gives us an elevated transverse section of good common sense and from that there should doubtless result a healthy, i.e. peaceful and reconstructive policy from which Germany and the world can only have advantages.

Bergisch Gladbach/Cologne, July 1946.

Max Bruch-Str. 10.

Nuernberg, Germany.
19 July 1946

Affirmation in lieu of oath of Ernst Bayerlein, Dr. Jur.

I, Ernst Bayerlein, Dr. Jur., bor 28 April 1904 in Ludwigsstadt, occupation: attorney-at-law, last charged temporarily with the administration of local branch (Ortsgruppe) in Parsdorf near Munich, at present in Court House Prison, Muernberg, being duly sworn, depose and say:

A. According to scrupulous investigation

457 as local branch leader (Ortsgruppenleiter)

14 as auxiliary leader (Stuetzpunktleiter)

38 as cell leader (Zellenleiter) and 60 as block leader (Block-leiter)

were interned in May 1946 in camp 8 in Garmisch, and also 569 defendants in Nuernberg belonging to the local branches. They belonged mostly to the Gaus of Munich – Upper Bavaria and Swabia, but nearly all the other Gaus were represented among them.

To these 569 persons the questionnaire which accompanies this as appendix 1 was given out by which each single individual was to make a deposition concerning the period of holding his post by means of replies to the questions there, under assurance in lieu of oath.

546 of these persons acceded to this request, viz.

443 as local group leaders (Ortsgruppenleiter)

12 as Strong point leaders (Stuetzpunktleiter)

34 as Cell leaders (Zellenleiter)

57 as Block leaders (Blockleiter)

So that for the purpose of later evaluation, the assurances in lieu of oath of 96% of all of the local branch (Ortsgruppenebene) taken belonging to camp 8 in Garmisch, were at hand, so far as this concerns the prosecution in Nuernberg. The remaining 4% could not be reached on account of being in hospital or such like, or showed no interest.

B. The carefully calculated evaluation of these assurances in lieu of oath resulted in denial of the Prosecution's assertion:

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1. 546, i.e. 100 % declared that they

   1. Condemned crimes against peace, humanity, and the laws of war and would never have joined an organisation which would prepare and carry out such criminal plans.
   2. Were firmly convinced that the NSDAP had, for the execution of its program striven to avoid any war whatsoever and accordingly considered it impossible for the leadership of the NSDAP to have planned and prepared a war of aggression; that they have regarded the restoration of Germany's military power merely as a necessary medium for the protection of a peaceful reorganisation.
   3. Did not take part in the ill-treatment or execution of foreign civilian workers or members of allied combat forces.
   4. Did not take part in the plundering of art treasures in the occupied territories.
   5. Did not take part in an attack on the body, life, health, and property of a Jew.
   6. Did nothing for the supression of the Christian religions or the persecution of the clergy.
   7. Did not take part in the dissolution of the free trade unions, in the occupying of their buildings and offices.
   8. Did not have any close connection with the Gestapo and did not invite the Gestapo to meetings.
   9. Did not carry out any measures with a view to the attainment of aims lying outside the law, and did not interfere, contrary to law, in the freedom and security of persons or property.
   10. Did not transmit any orders to commit acts which were crimes against peace, humanity, or the laws of war.

533, therefore 98 %, declared that they had had nothing to do with the seizure and employment of foreigners to work.

535, therefore 98 %, declared that they received no commands to commit acts, which represented crimes against peace, humanity and the laws of war.

523, therefore 96 %, declared that they never heard anything of the crimes committed in concentration camps, until after the capitulation. The remainder testify to have heard this only as rumors or otherwise unauthenticated.

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497, therefore 91%, declared that they did not know the Organization Book of the NSDAP by LEY, edition of 1943. The rest testified overwhelmingly to only cursory or partial knowledge. Only 7 stated that they really read it.

422, therefore 77%, declared that they had not read ROSENBERG's book – The Myth of the 20th Century – . The rest testified overwhelmingly that they had read the book only partially, fleetingly, or without comprehension. Only 5 could say that they had really read it.

232, therefore 42%, declared that they never read the periodical – The Bearer of authority (Der Hoheitstraeger). The rest testified overwhelmingly to having read so far as they knew the periodical, declared that they regarded the viewpoints maintained in the periodical as theoretical utterances of individual persons and not as obligatory orders.

11. As proof of an attitude contrary to that asserted by the Prosecution.

410, therefore 75%, declared that they did not leave the Church. The rest have all established personal grounds for their leaving the Church. No one was urged or forced to do so.

They declared in particular:

7. That they looked after parachutisted allied fliers.

9. That they brought persons out of concentration camps.

33, that they protected the politically persecuted guarded them from the concentration camps or took action for their release.

3, that they protected Jewish homes on the 8th or 9th of November 1938.

28, that they intervened on behalf of Jews or half-Jews or had intercourse with Jews.

11, that they looked after ill prisoners of war, and those needing aid, and foreigners.

58, that they treated foreign workers and prisoners of war as members of the family or otherwise treated them well.

52, that they took part as organists, church musicians or choir singers, in the public life of the Church.

14, that they took part in processions, collecting tours, "primizen", or similar public ceremonies of the Church, without being members of the church choir.

24, that they supported the church financially.

5, that they supported the clergy.

6, that they held honorary posts in the Church.

H5123-0097A

Civil Internment Camp No. 8.
Garmisch.
- - - - - - - - - - - - - - -

Distinctive Group .....

Prisoner's No. .....

In case I should be included in the c rps of political leaders prosecuted in Nurnberg, I submit the following statement:

I, ... Born on .....

Profession ....;..... .... Resident in ....

Member of NSDAP from ..... to ....

Highest post occupied ..... at ....

make the following statement in lieu of oath. I have been fully informed of the fact that this statement in lieu of oath will be submitted to the authorities and that besides Prosecution by the Military Government, a false statement in lieu of oath is punishable by imprisonment.

I have assumed an office in the NSDAP because

....

....

I condemn crimes against peace, humanity, and the laws of war. I would therefore never have wittingly joined an organization which planned, prepared, and perpetrated such crimes.

I give the following particulars about my activity as political leader:

1. As political leader, I swore allegiance to HITLER. I considered this act not as participation in a conspiracy but as a particularly solemn form of obligation to work for the good of my Nation.

2. I was firmly convinced that the NSDAP in carrying out its program strove to avoid war. For this reason, I considered it as out of question that the leaders of the NSDAP should plan and prepare a war of aggression. I solely considered the building up of Germany's defensive capacity as a necessary measure of protection for peaceful constructive work.

3. I was ..... connected with the labor commitment of foreigners, I did not consider the conscription of foreigners for essential war work as criminal.

4. I did ..... take part in the mistreatment or putting to death of foreign civil workers or members of the Allied Armed Forces.

5. I have ..... taken part in the plundering of art treasures in occupied territories.

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6. I have ..... participated in an hostile action against the person, life, health and property of a Jew.

7. I have ..... undertaken action for the oppression of Christian religions and persecution of the Clergy.

I did ..... abjure the .....religion.

8. I have .....taken part in the dissolution of free trade unions and occupation of their premises and headquarters.

9. I have neither entertained close relations with the Gestapo nor invited the Gestapo to meetings.

10. I have .....executed measures for extra-legal purposes.

I have ..... illegally committed outrages against the liberty and security of persons or against property.

11. I have ..... become acquainted with crimes committed in concentration camps.

12. I am ..... acquainted with the NSDAP's Organization Book by LEY.

13. I have ..... read ROSENBERG's book "The XXth Century Myth".

14. I have ..... read the periodical "Der Hoheitstraeger".

I did ..... consider the treatises in it as the theoretical arguments of individuals and not as binding commandments.

15. I have neither received nor issued orders to commit acts which would constitute crimes against peace, humanity and the laws of war.

For complete information, I moreover declare:

Garmisch, ... April 1946.

First Name – Surname

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6. that they were members of religious, Christian, or similar societies.

---

256. Therefore 47%

This figure does not correspond to the factual conditions. It should be far higher. These positive indications were not asked for in the questionnaire, and therefore were often not given.

III. To the concept of conspiracy in general:

1. 164, i.e. 30% declared that they were not sworn in as political leaders,
   371, i.e. 68% only once and only 11, i.e. 20% more than once.
   But all declared that they did not consider this oath as taking part in a conspiracy, but as a particularly solemn kind of engagement to work for the welfare of their people.
2. 87%, that is 16% declared to have held office on the local group, level the holding of which led to the indictment, for less than one year,
   162, that is 30% for less than three years,
   124, that is 22% for less than six years,
   173, that is 32% for more than six years.
3. 245, that is 45%, received no certificate were therefore not active as political leaders and thus were not authorized to wear uniform.
4. The distribution as to professions shows:
   162 Peasants and farmers
   992 Officials
   73 artisans
   53 popular school teachers
   45 employees
   37 business men
   23 specialized workmen
   9 engineers
   5 bank employees and cashiers
   4 untrained workmen
   4 doctors and vetenary surgeons
   4 dentists and dental mechanics
   3 farmhands
   3 attorneys-at-law
   3 contractors

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2 forwarding agents

2 dealers

2 fiscal advisers

2 dairy specialists

2 insurance agents

1 innkeeper

1 draftsman

2 meat inspectors

7 without indication of profession.

5. The distribution as to diversity of sphere of activity shows:

Of the 443 interned as local group leaders there were:

363, that is 82% in purely country agricultural local groups

43, that is 10% in small township local groups

37, that is 8% in large city local groups.

Of the 12 interned as base group leaders all were active in purely country agricultural districts.

Of the 34 interned as cell-leaders 8 were in country agricultural local groups.

26 in city local groups.

Of the 57 interned as block leaders

21 were active in purely agricultural local groups

36 in urban local groups.

6. 270, i.e. 49% have declared that they accepted office because they were appointed or ordered to accept by the competent authorities. The others declared to have taken over their posts because they expected from the NSDAP a general economic development, suppression of unemployment, the protection of Germany from Communism or because they felt compelled to do so in the interest of their community or of the German people.

7. 363, i.e. 66% exercised their activity in local groups of less than 100 members, often of even less than 50 members.

8. 20, i.e. 40$ held their office only before 1933,

145, i.e. 27%, only before the war,

164, i.e. 30% only during the war.

C. No doubt as to the truth of the documents on which these calculations are based can be entertained. When delivering the statements in lieu of oath, all realized fully the import of such a statement. All knew

that the statements are to be submitted to the Court and that a false statement in lieu of oath is severely punished. Therefore I could observe during the answering to the questions asked, rather a state of over-anxiety and nowhere any light-mindedness. The genuineness of the signatures, in spite of the fact that there was no reason of any kind for suspicion, were checked again individually to avoid any possible doubt, as is seen from the statement in lieu of oath annexed here under No. 2 of 24 May 1946. The evaluation of the above, based on the statement in lieu of oath of 95% of the categories in camp No. 8 in Garmisch, gives therefore a reliable survey of the local group level in as far as it is under indictment The facts stated above correspond to the truth. This declaration is made by me of my own free will and without coercion. I have read the same through and signed it.

(signature) Dr. Ernst BAYERSTEIN

Subscribed and sworn to before me this 29 day of July 1946 at Nurnberg, Germany.

(Sgd.) Paul S. BURGER, Capt.
O-451219

Name - Grade - ASN.

I, Emma D. SCHWABENLAND being thoroughly conversant with both English and German certify that I have acted as interpreter for the swearing of this affidavit.

(sgd.) Emma D. SCHWABENLAND.

H5123-0101

H5123-0102

Enclosure 2.

Statement in lieu of oath.

For the consideration of the International Tribunal in Nurnberg the undersigned state in lieu of oath the following, being aware that the making of false statements in lieu of oath is punished by imprisonment by the allied military authorities as well as by the German courts. The 546 persons named in the enclosed list have proved their identity before the undersigned by prison certificate. Each of them, after submission of the enclosed four dockets containing statements in lieu of oath and signed by them with their names declared that the signatures were made by them. Of the 546 persons the following could not make these declarations: 24 who in the meantime were dismissed and 6 who were since transferred to the hospital.

Garmisch, 24 May 1946.

s/ Dr. Ernst BAYERLEIN
Attorney-at-Law

s/ Felix KROELL
Chief Public Prosecutor

s/ Johann WEGSCHEIDER
former Ortsgruppenleiter

Attestation

The above mentioned signatures have been made in my presence. The above signatories have proved their identities by their prison tickets.

Garmisch, 25 May 1946

a/ v. RHAMM

Chief of the Staff in the German Garrison

Headquarters Camp 8

May 27, 1946.

I certify that the signature on the back is that of subject von RHAMM, Urrich, CIE 8, Garmisch.

Stamp: Official
MID - CIE-8

s/ Victor J. HAIG,
Capt. C.A.C.

Election Procedure

for the German Electoral College

The German Electoral College will be elected from the group eligible canditates.
Lawful candidates are all German nationals - irrespective of party or other affiliations - who by virtue of their abilities and conduct have been publicly recognized for their accomplishments. This level of accomplishments will be determined by competent experts and is placed so hi high that not more than about one hundred persons will be eligible for each section.
Each section votes by itself and exerts no influence on other sections.
Casting votes will be according to a list comprising all personalities which come into consideration. This list is distributed to each of the persons listed for voting and they indicate the candidate they vote for by a cross and repetition of the name. Confidants who have been sworn in determine the candidate elected on the basis of a total of all the properly prepared, signed lists.
Should any of the eligible candidates desire to exercise his right to vote but who for some reason do not wish to be chosen into the electoral college, a notation to that effect may be made in the voting list.
In case organizations corresponding to the German Kolleg should be formed in foreign countries, provision is made to extend the circle of eligible candidates to cover the respective countries thus, facilitating the expression of international influence, unhampered by border lines.
Elections are scheduled to take place once every three years.

Directives

Within German government the German Electoral College discharges a function which is set above that of the Government. True to democratic principles, those ranging highest in efficiency will be vested with unlimited power to supervise the political and economic exploitation of the natinal energy for the benefit of the public and for the rest of the world. This last thought receives particular emphasis when admission of foreign members into the Electoral College is involved for influences from abroad must be based on mutual self-respect.
The Electoral College, rising as it does above party and State, lifts its members above daily party strife into the international limelight and calls for special protection through appropriate agreements of the United Nations. In this sense, all peoples will strive to erect similar colleges known under the collective name of UNITAS PACIS (Association Serving Peace), which will all function on the same level and devote themselves to fruitful interchange of ideas.
Seen from this point of view, the position of the German Electoral College is defined at the outset, and protection is accorded to its members against the agencies of the country.
The salient points of the statute are as follows:

1) Election of members of theGerman Electoral College will be based on the adopted election procedure.
2) Experts, whose function it is to set the efficiency level for the Electoral College candidates, will be assigned by the Government. The experts must be free of party bias or must be recruited from at least three parties.

3) After confirmation of election results the individual Electoral College members are immune from all attacks by the parties, by the courts, by the public or by the Government. The Electoral College is a self-contained body and can be approached as a body unit only.

4) Members of the Electoral College have unhampered access to all public gatherings, meetings and discussions, arranged for by the Government or any other institution. Public comments they make in connection therewith are to come from the Electoral College as such and must first be placed before the whole body.

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5) During meetings of the German Electoral College the Government is obligated to give a report of the situation which is true to facts and to coordinate its measures with suggestions made by the Electoral College. If divergencies of opinion arise, the College will deliberate as a closed body on the steps to be undertaken.

6) The German Electoral College has the right to protest against Government measures which it deems inimical to the public weal. The protest must be supported by well-founded arguments and will be published in all news channels reaching the public. The protest will be made
   a) by turning the matter over to committees of experts
   b) through appeals to national public opinion
   c) through proclamations to world public opinion.

7) The German Electoral College is under obligation to use to best advantage all facilities in existence for the promotion of the country's peace, within and without. It was chiefly created for that purpose, and everything else is to be subordinated to it.

8) Should it be considered opportune to divide the Electoral College into separate working units, to allow for differences in the composition of the electoral college, decision about such segregation is left to the discretion of the electoral colleges.

9) If grave charges are leveled against a member of the Electoral College the Electoral College itself will rule - with simple majority vote - on the exclusion and punishment of the said person. If a member severs its connection with an Electoral College through exclusion, death, or of his own free will, the respective section will at once proceed to elect a new member.

10) A college cannot be dissolved except through a decision taken internally, a two-third majority being required. Its compulsory dissolution through outside forces is considered a threat to peace.

Membership is honorary; the only payment will consist of adequate allowances paid by the Reich Finance Office to cover social expenses incurred.

Bergisch-Gladbach, July 1946. (s) Hans Leptien

Max Bruchstasse 10.

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Draft for a New Legal Constitutional Body.

"DEUTSCHES KOLLEG".

The German Kolleg is to be introduced into the German Government as super-party organ on a legal constitutional basis and has the responsibility of preserving and advancing the cause of peace in German policy. It includes the most important representatives of German prestige in the country and abroad regardless of their profession. The number of members is fixed at 30 so that it can remain mobile and make quick, energetic decisions.

The following sections shall delegate 3 representatives to this Kolleg:

1) The Diplomatic Corps
2) The Reich Administration
3) The Catholic Confession
4) The Evangelical Confession
5) The Association of Employers
6) The Guilds
7) The Trade Unions
8) Science
9) Art
10) Sport.

The members of the Kolleg will be nominated by the sections referred to. They shall express their confidence in one another by secret voting. The member who obtains the largest number of votes of confidence will take the chair during the conference. A special vote will decide in doubtful cases. If a member obtains less than half of the total number of votes cast, the section in question must propose a new personality.

The task of the Kolleg is to suggest to the Government measures for dealing with want, improving German prestige and safeguarding the peace. Its suggestions shall be expressed freely and without reservations and its veto is binding on the entire people.

The Kolleg assembles periodically for current information on all questions.

Bergisch Gladbach / Cologne, July 1946

Max Bruch-Str. 10.